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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the 30th Parliament

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Thursday, January 15, 1976

Morning Session

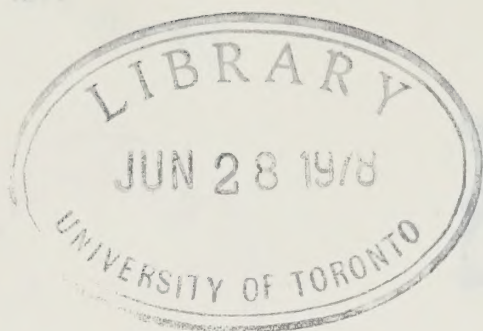
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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

Thursday, Jan. 15, 1976, being the first day of the second session of the 30th Parliament of the Province of Ontario for the despatch of business pursuant to a proclamation of the Honourable P. M. McGibbon, Lieutenant Governor of the province.

THURSDAY, JANUARY 15, 1976.

The House met at 10 a.m.

The Honourable the Lieutenant Governor, having entered the House and being seated upon the throne, was pleased to open the session with the following gracious speech.

### SPEECH FROM THE THRONE

**Hon. P. M. McGibbon** (Lieutenant Governor): Pray be seated.

Mr. Speaker, and members of the legislative assembly of Ontario, this second session of the 30th Parliament of Ontario has been called to deal with a matter of great immediacy. You will be asked to consider legislation to bring about a settlement of the dispute between the Ontario Secondary School Teachers' Federation and the Metropolitan Toronto school boards, and to end the long and continuing teachers' strike.

May Divine Providence attend your deliberations.

The Honourable the Lieutenant Governor was then pleased to retire from the chamber.

Prayers.

**Mr. Speaker:** In order to prevent mistakes, I have obtained a copy of Her Honour's speech, which I will now read.

(Reading dispensed with.)

Orders of the day.

### METROPOLITAN TORONTO BOARDS OF EDUCATION AND TEACHERS DISPUTES ACT

**Hon. Mr. Wells** moved first reading of bill intituled, An Act respecting the Metropolitan Toronto Boards of Education and Teachers Disputes.

Motion agreed to; first reading of the bill.

**Hon. Mr. Welch** moved that as the Legislature has been convened in this special

session for the purpose of considering only that matter which has been laid before the House in the address of the Honourable the Lieutenant-Governor, the House hereby resolves to dispense with the customary address in reply to the Speech from the Throne, and the formal debates thereon, as the subject matter of the speech may be debated during the consideration of the legislation which has been submitted to the House.

Motion agreed to.

**Hon. Mr. Wells** moved second reading of Bill 1, An Act respecting the Metropolitan Toronto Boards of Education and Teachers Disputes.

**Mr. Speaker:** Does the hon. minister have an introductory statement?

**Hon. Mr. Wells:** Yes, Mr. Speaker. We are here today to consider legislation intended to bring an end to the long disruption of educational programmes in the secondary schools of Metropolitan Toronto.

This strike of secondary school teachers has been long and bitter. It has aroused frustrations and hostilities between teachers, school board members, students, parents and other citizens, the likes of which I think I can say, Mr. Speaker, we have never seen before. I hope, Mr. Speaker, we will never again see a situation where the opinions of various groups become so polarized and so severe. I hope that today will mark the starting point for a return to stability in our secondary schools, although I am the first to acknowledge that the road back may be very difficult.

Notice to begin negotiations was given to the Metropolitan Toronto School Board by its secondary school teachers on Jan. 16, 1975, almost exactly one year ago and fully 7½ months before the last agreement between the parties expired on Aug. 31, 1975; that agreement which expired, having been in effect for two years, since September of 1973.

Over the past year, every possible avenue has been explored in an attempt to achieve a negotiated settlement. I think we all believe



that a negotiated settlement certainly was the best thing that could happen in this, and, indeed in any school board and teacher collective bargaining situation.

I have been personally involved at various stages where it appeared that my participation might be helpful. The first time was in mid-June, when the parties asked me to appoint a mediator in order to get meaningful discussions and negotiations going. We acted promptly, by bringing in one of Canada's best labour mediator negotiators, Stanley Hartt.

Mr. Hartt worked through July and August, and was able, I am told, Mr. Speaker, to get the parties to sign off about 300 items in the contract. However, several important items remained unsettled, including the monetary matters, and Mr. Hartt was unable to solve the impasse on those.

In early September, under the provisions of Bill 100 which had then come into effect, Mr. Hartt was appointed by the Education Relations Commission, which was created by Bill 100, as a fact-finder in the dispute. In the report which he subsequently submitted, Mr. Hartt made recommendations which he later described as terms which he felt would achieve a settlement in this situation and not, as he pointed out, terms which he felt were necessarily deserved by the teachers, nor which he thought the school board should necessarily have to pay.

This report was subsequently embraced by the teachers as a basis for settlement and, with certain modifications, I believe submitted by the teachers in their final position. The school board, for its part, put forward an offer based upon the monetary settlement which had been reached with its elementary school teachers a few weeks earlier.

These developments still did not produce a settlement. Despite eleventh-hour bargaining and mediation by both William Dickie and myself, a serious impasse had developed.

It was on Nov. 12 that the dispute took a sharp turn, when the teachers went out on strike leaving the schools virtually incapacitated. That was 37 teaching days ago, Mr. Speaker, making this the longest teacher strike in Ontario history.

Now, today, for the sake of the students in the schools, I believe the onus is on this Legislature to deal responsibly and quickly with this bill which we are presenting this morning.

The Premier (Mr. Davis) has already stated that the government cannot in good conscience stand by any longer as the high

school students of Metropolitan Toronto are placed in real jeopardy as the innocent victims of an impossible situation. If we were dealing with pieces of mail or some manufactured goods, as in other labour disputes, and if this strike did not directly touch the lives of 140,000 young people, we perhaps could allow this battle to go on to a clear decision. But, Mr. Speaker, we're dealing with students who, I believe, deserve a break. For the sake of the students, a solution to the impasse is necessary now. It's something that has to be done now; and that, Mr. Speaker, is why we're here this morning.

This strike has been unusual, even unique, from the start. It began in the early period following the announcement of the federal anti-inflation programme and following Ontario's announcement of its intention to opt the public sector of this province into the programme. Even though the express demands of the teachers seem clearly in excess of the federal anti-inflation guidelines, even allowing for any special consideration that might apply, the teachers chose to exercise their legal prerogative to strike—and I emphasize it was their legal prerogative to strike in this case.

The whole exercise, however, had a sense of futility to it from the day it began. Many weeks later, the teachers chose to reaffirm their strike position by voting to reject the new offer submitted by the school board.

Mr. Speaker, 7½ months ago when I stood in this House to introduce Bill 100, which gave teachers the legal right to strike, along with many other improvements in the collective bargaining process between teachers and school boards, I made the following statement. I quote from my statement at that time:

The government, this government, has no intention of allowing this legislation, Bill 100, to be used to cause a major disruption in the education of pupils. It is our public responsibility to retain the right to take specific action, including legislative action if necessary, should serious disruptions of educational service occur. We have that responsibility and we will not shirk it.

That, Mr. Speaker, was the statement I made 7½ months ago on the introduction of Bill 100.

Obviously it's always a matter of judgment as to when the point of no return for students has been reached. At best, I suppose it's an arbitrary decision subject to interpretation and disagreement depending upon where one stands.

For these reasons, Mr. Speaker, we built into Bill 100 a clear provision that imposed upon the Education Relations Commission a responsibility to advise the government when,



in its opinion, a continuation of a strike or lockout would jeopardize the successful completion of courses of study by the students affected.

Last Saturday, the Education Relations Commission held a public hearing here in Toronto in connection with this responsibility that it has under the legislation. In its report, which was submitted to us by the commission, it stated in part, and I quote from the Education Relations Commission report submitted to the executive council of this province:

Recent developments in the dispute indicate to us that the parties will not likely achieve such a settlement in the near future. While we do not rule out the possibility that a resumption of negotiations might produce a settlement at some future date, we believe that the difficult and lengthy history of negotiations to date, coupled with these recent events, justify a prediction that no early negotiated settlement can be anticipated.

In these special circumstances we believe that the time at which these students will have been placed in jeopardy will almost certainly have arrived before a negotiated settlement is concluded.

Further, Mr. Speaker, the commission stated:

It is our opinion that the continuance of the strikes and lockouts in this dispute will place in jeopardy the successful completion of courses of study by the students affected.

Those are the quotes from the report presented to this government by the Education Relations Commission.

[10:15]

The Metropolitan Toronto secondary school teachers came to the same conclusions, I believe, in the brief they presented to the commission last Saturday when it held its hearing and from which this report to us arose. The brief which the teachers presented, Mr. Speaker, said this in part, and I quote from their brief:

The purpose of today's hearing is to determine whether or not the continuation of this strike will jeopardize the successful completion by the students of the current school year. The teachers, who are and always have been deeply concerned about the welfare of their students, say that it most undoubtedly will.

In the brief presented to the commission last Saturday by the directors of education of the school boards in Metro Toronto, it was

unanimously stated that it was their opinion—and I quote from the brief of the directors of education:

The continuance of the present strike on the part of the secondary school teachers will place the successful completion of courses of study by students in jeopardy.

This government has considered all of these views, and many others, very carefully indeed. It is clear to us that we have a responsibility to the secondary students of Metro Toronto and to their parents. We have obviously concluded that the schools must be reopened and returned to normal operation promptly, so that students will not be placed in an irreparable position of disadvantage in their future education and in their future career plans.

If there had been any sign that a negotiated settlement could have been achieved in a few more days, I would say to you, Mr. Speaker, that we would not have been here today. Since the teachers voted to reject the school boards' last offer last Wednesday—that is, a week ago yesterday—I have met personally with both parties several times. But I must say that I could see no signs that a negotiated settlement could come about in the very near future.

Thus, we are presenting today to this Legislature, a bill which has two main basic objectives—the first, to get the high schools of Metropolitan Toronto open and operating normally by next Monday; and the second, to provide a means of equitable settlement in the dispute that has caused this strike and lockout. The bill we are presenting today has the following features:

Teachers will be required to return to schools on Monday morning, and school boards will be required to discontinue lockouts where they have been in effect. In this way, full programmes for all students will be restored almost immediately.

All matters remaining in dispute will be referred to an arbitrator for a decision. This decision will be given within 30 days and will be for a term of two years. The arbitrator's decision will be binding upon both parties.

**Mr. Bullbrook:** Subject to Mr. Pepin.

**Hon. Mr. Wells:** Subject to the ruling, of course, as are all other disputes in this province—to the consideration of the Anti-Inflation Board in Ottawa.

**Mr. Bullbrook:** Right.

**Mr. Reid:** The decision, not consideration.

**Mr. Speaker:** Order, please.

**Mr. Bullbrook:** He decides what they get. We'll get to that later.

**Hon. Mr. Wells:** Professional activity days will be cancelled for the balance of the school year in Metro Toronto secondary schools so that every available day will be used to help students make up for time lost during the strike.

In calling for an end to the strike the bill includes the same strike definition as Bill 100, which means among other things that work to rule is considered to constitute strike action.

Provisions relating to contravention of the bill will also be identical to the penalty provisions of Bill 100—fines of up to \$10,000 a day for organizations and up to \$500 a day for individuals who would contravene this Act; that is, fines, up to these amounts for individuals who are convicted of contravening the Act.

**Mr. Speaker,** we expect that both the teachers and the school boards will do everything possible to help students make up the time they have lost over the last 37 days, and to help them overcome the problems caused by interrupted schooling. It is for this reason that this bill cancels all the remaining professional activity days in Metropolitan Toronto secondary schools, so that every available day can be used to help the students catch up and regain the ground they have lost.

Further, I have asked both parties to consider the possibility of arranging special instruction programmes during the mid-winter break in March for students who may wish to take advantage of them.

In conclusion, **Mr. Speaker,** let me restate very simply the points that I have made. They are these:

1. We have received solid evidence, including a report from the Education Relations Commission, which indicates clearly that a continuation of the strike will place in jeopardy the educational programme of Metro Toronto secondary school students.

2. There appears to be no prospect of a negotiated settlement in this dispute in the immediate future.

3. Although we have considered many opinions on what course of action would be most appropriate at this time, to us the factor of paramount importance is the educational welfare of the students.

4. This strike has emphasized, if it needs emphasizing, that there are seldom winners in a dispute of this kind.

If this strike did not, as I said earlier, touch the lives of 140,000 young people, we could allow it to drag on to a clear decision; a course of action, I might say, that literally hundreds of callers have passed on as advice to this government. We are not, however, interested in teaching hard lessons at the expense of the students and this is the basis of our decision.

**Mr. Speaker,** I believe that this bill is necessary and I believe that it is reasonable at this time, and I would urge this House to pass it speedily and to pass it unanimously.

**Mr. Speaker:** The hon. Leader of the Opposition.

**Mr. Lewis:** **Mr. Speaker,** this is an exceptional debate and in the context of that exception it will be my intention at the end or toward the end of my remarks to move a reasoned amendment on second reading. I think we will be granted unanimous consent, for that at least by government as we would wish to give unanimous consent so that the other processes can follow. I hope that would be acceptable to the Liberal Party—

**Mr. Nixon:** That is all right with us.

**Mr. Lewis:** —so that it can be all be contained within the one day. I appreciate that.

**Mr. Speaker,** we appreciate, as in fact the Minister of Education (**Mr. Wells**) has put it in remarks, which I thought appropriate and effective on second reading, that this situation is immensely difficult for the students, teachers and parents in Metropolitan Toronto. The Speaker will recognize, as the House will recognize, that it presented for the New Democratic Party caucus, an equally difficult position to face this kind of legislation in a party which has traditionally, feelingly, with enormous conviction, held to the belief that compulsory arbitration is on almost every circumstance inappropriate and often destructive.

We were locked into a very lengthy caucus consideration last night and again this morning because of those factors. I think the New Democratic caucus and party recognize that the situation is in a sense past the point of return, that something has to be done to resolve it. We are not so impervious to that reality that it wouldn't enter into our discussions. We also recognize that in this dispute, unlike some others, many of the provisions of the collective bargaining process have been adhered to.

The processes of Bill 100, once introduced, worked their way through the collective bargaining system; and although there were



aberrations, and although there were gratuitous, and I think damaging, intrusions from the federal government, and although there were inconsistencies, Bill 100 largely worked its way through. We supported that bill and we understood at the time what we were supporting. We liked it and we thought it would work; and we thought it should be given an opportunity to work. Many of us wandered about the province saying exactly that to the members of the teaching profession; that we felt that after two years they had won, and the collective bargaining process had won, a singular victory.

I haven't, and I think my colleagues share this, always been very favourably disposed to both sides in this dispute. Like the Premier and the leader of the Liberal Party, I have shared the attribute of being booed by one of the adversaries and, I suspect, treated with less than affection by certain members of the boards, certainly certain chairmen of the boards. I have thought that on occasion both sides in this dispute have behaved peculiarly, even irresponsibly, but the fact of the matter remains that by and large the provisions of Bill 100 were adhered to. I have to admit that and we have to admit that. The process worked its way right through, in fact to the final conclusion, so that the Ontario Education Relations Commission made its finding to the government. Because I happen to have a particular regard for some members of that commission, I took those findings seriously, although they tended to mirror what the whole community already felt.

However, throughout the entire dispute there was one area of authority which we in the New Democratic Party never felt was appropriately or adequately exercised—and it baffles me to this day—and that's the authority of the government itself to intervene usefully helpfully, at moments when it looked as though a breakdown was coming or when an impasse had been reached. I do not to this day understand why it was not possible on a number of psychologically special situations for the Minister of Education (Mr. Wells) and the Premier (Mr. Davis) jointly to have summoned the parties and attempted to resolve the dispute. Maybe I have an overly romantic view of the Premier's office and maybe I give to it too much authority.

**Hon. Mr. Henderson:** You will never know.

**An hon. member:** Maybe he will know.

**Mr. Lewis:** All right, maybe I will never know. I grant you that very real possibility.

When a politician can never know, he can indulge in romance, which is what I have been doing.

**Hon. Mr. McKeough:** Are you advocating that?

**Mr. Nixon:** You have certainly been romancing the Premier, if not the premiership.

**Mr. Lewis:** To be fair to the Premier, if I have been doing the romancing, he certainly hasn't reciprocated.

**Mr. Singer:** How long are you going to be spurned?

**Mr. Lewis:** But I must say that that was a point of delinquency. That seemed to me to be a matter of abdication of leadership with which we in this party cannot agree and did not agree at the time. When it became clear, prior to the actual strike occurring, that the sides were so far apart they were building entrenched positions, I think the Minister of Education and the Premier should jointly have brought them together to avoid the strike at all.

When it became clear in the early days immediately following the breakdown that the position taken by the teachers for the Hartt provisions, on the one hand, and the position taken by the board on its last offer, on the other, were intransigent and that this was likely to go on for a very long time—and the Minister of Education himself conceded sensing that weeks ago—then it was time for the authority of the office of the Premier and the minister to be jointly used.

Those people opposite are strange about authority. They have no problems in exercising authority to close down a hospital in Goderich without advance notice where a little vulnerable and isolated community is involved but they have immense problems with authority when it involves a matter of political leadership in a dispute affecting the lives of 140,000 students, 8,000 teachers and God knows how many parents. I am very perplexed by the failure of political leadership on that basis.

[10:30]

Then came the crucial, the immobilizing moment in time, when Jean-Luc Pepin almost without invitation—in fact, I think it's fair to say without invitation—made his ruling on the board offer and threw all of the negotiations into a cocked hat. And at no time—when not only had the jurisdiction of the Province of Ontario been violated by an appointed civil servant, but when the obvious consequence of that would be a prolonged and bitter and



disruptive dispute—at no point in time did the Premier summon to his office, jointly, the heads of the teachers' group and the chairmen of the boards and say, "My God, never in the history of collective bargaining in the province have we been faced with a situation of this type. This is qualitatively different from anything any of us would have envisaged. I want to exert my authority and influence with you and try to see if there is a way out."

I would have thought that if ever there was a point for political leadership to be exercised or intervention to flow, that was the point. The Premier and the Minister of Education have responded to that kind of request which was made by the leader of the Liberal Party and myself and others in this Legislature that we want to have it both ways, that we want to give the teachers the right to strike on the one hand and that we want to intrude on the collective bargaining process on the other.

The answer to that is falderal. Because the government gives people the right to strike doesn't mean that it then removes itself to a position of political paralysis and lets events take their course, regardless of the consequences, until some point that it has to summon the Legislature in emergency session. That's just nonsense.

Is the government suggesting to me that the Education Relations Commission would have rebuked the cabinet had it attempted to effect a settlement somewhere along the way? Is anyone arguing that? Is anyone arguing that teachers or boards would have refused to be called together by the Premier and the Minister of Education jointly? Is anyone suggesting that the public would have felt that was inappropriate? We felt for a long time that the right to strike in the public sector in this field for the teachers is legitimate, so we have accepted the concomitant requirement that when we grant the right to strike we move heaven and earth to keep it as short as possible and to effect a settlement.

On the other hand, the Conservative government came to the position of the right to strike only very late and very reluctantly. They have not yet arrived at the equivalent and parallel position that, having granted it, they then work as hard as the world permits to resolve it. The only thing that was never exercised was the kind of cabinet authority that I think was there. I don't think I'm wrong in suggesting that it might have been exercised effectively. I think it might have been exercised effectively since the trio of mediators broke down.

Let me add, as an aside, that was, in retrospect, a mistake, because that trio of mediators, however earnest they were, reverted to the old manner of collective bargaining; the messages passed back and forth in the corridors of hotel rooms. If we've learned anything about public sector disputes in this province it's that we have to be straight about every single proposition which is made, and we don't deal in the endless shuffling games. Judging from the behaviour of some of the mediators—one of them at least a highly theatrical gentleman—I began to wonder whether that was, in fact, ultimately useful, although I have no doubt it was pursued in as good faith as possible. That having broken down, then again I would have thought the Premier could bring them together.

If the Premier can interrupt a Florida vacation to rush back to the Province of Ontario to consider emergency legislation, then the Premier can take some time to call the parties together in his office to see if the emergency legislation can be forestalled. I would have thought that that was possible.

**Mr. Nixon:** Got to rush back to the Super Bowl.

**Mr. Lewis:** I was returning as well, as slowly as my car would take me, but got here on time.

**Mr. Reid:** Were you two together? Is your apartment down from his?

**Mr. Lewis:** No.

**Mr. Reid:** Are you in the same building?

**Mr. Lewis:** Therefore, Mr. Speaker, we ultimately reached this point of failure. It is a failure which, in some considerable measure, those of us in the New Democratic caucus attribute to the government. They allowed Bill 100 to work its course. They used the Education Relations Commission as best they could. They understood the parties bargained often, if not always, in good faith, but they refused to exercise at every appropriate critical moment the rights of political leadership; and that is essentially why we are here now. Those parties have been on occasion, even now, so close to a settlement, that if at any time the Premier and the Minister of Education jointly had pulled them together, I have a gut intuition that they would have had the settlement.

**Hon. Mr. Davis:** Who are you kidding?

**Mr. Lewis:** I am not kidding at all. I believe it and I believe it absolutely.



**Mr. Speaker:** Order, please.

**Mr. Lewis:** I believe it absolutely—absolutely believe it.

Interjections.

**Hon. Mr. Davis:** That rhetoric isn't going to wash on this issue. It isn't going to wash on this issue.

**Mr. Lewis:** I don't know why the Premier didn't do it. I don't know why he didn't do it.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** You are trying to—

**Mr. Speaker:** Order, please; can we get on with the order of the debate?

**Mr. Martel:** Mr. Speaker, do you have the figures on the—

**Mr. Lewis:** The chairman of the Education—

**Hon. Mr. Davis:** You liked your raise in pay.

**Mr. Martel:** That's right.

**Mr. Lewis:** Oh now, now; come on now.

**Mr. Martel:** You were cheap on that one, too.

**Mr. Speaker:** Order, please; the hon. Leader of the Opposition has the floor.

**Mr. Cassidy:** The Premier is pretty sensitive.

**Mr. Lewis:** Well, I will put it another way.

**Mr. Germa:** The Premier is as odd as a \$3 bill.

**Hon. Mr. Davis:** You want a bill?

**Mr. Germa:** You are as odd as a \$3 bill.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** I will put it another way. Had I been in the Premier's shoes—and I am not—I cannot imagine having a dispute of this kind go on for 38 days, having the effects we all know on the educational system, without having tried a personal intervention, using the office of the Premier for that purpose. I just cannot imagine it. I think—and I invite the Premier to try it one day—that he would be surprised at the influence that attaches to the Premier's office on both sides. Had he attempted to settle it, I think it

would have been settled. I think it would have been settled fairly quickly.

I want to go on. So, we are now faced with this legislation. And this legislation, Mr. Speaker, is typical Tory legislation. It's a typical and predictable Tory response. It is kind of cyclical in this House now; it comes with a certain rhythm every time there is a very serious dispute. The terms are almost always the same. It's the old traditional, ritual patterns tried over and over again; only this time it has some bizarre overtones.

The government is appointing another arbitrator under compulsory arbitration. We are setting a record in this dispute for conciliators, mediators, arbitrators, and interlopers of every kind and description. I don't know where they are going to find the arbitrator, although presumably they will have a person to announce. They must have had a pretty short list; they have used everyone else. And now, at the end of the cycle, they have got a bill effecting compulsory arbitration with yet another new person intervening. I mean, even for the government that must be a trifle uncomfortable, not to say ludicrous. They are going to pay further for the arbitrator, and certainly that is adding up to a lot of public expense for the costs of mediating, conciliating and arbitrating this dispute. One would think an occasional blush would come to the cheeks of those who talk of restraint, let alone spending more under these circumstances.

I must say that I think that really it's an almost fantasy component of the bill—another arbitrator. But the part that makes it worthy of skit material is that this poor beggar—whoever he or she is—has no authority whatsoever.

**Mr. Deans:** That's the problem.

**Mr. Lewis:** They make the decision and off it goes to the Anti-Inflation Board in Ottawa for the final communique, the final pronouncement. Now, there is something so peculiar about this whole process, something that must make the teachers surely ask themselves: "What have we got ourselves trapped into? What in God's name is going on here? Why are all these special favours visited upon us?"

**Mr. R. S. Smith:** You supported it.

**Mr. Lewis:** Just a second; I want to say that I don't know whether a reference to the Anti-Inflation Board should be included in this bill because I'm not sure that anyone on this side of the House is prepared to coun-

tenance its authority. It clearly exists, you've obviously signed an agreement, you've surrendered provincial right and you're going to go the route. But I'll be darned if we want to see it kind of enshrined in legislation—although maybe that has to come, maybe you have to signal the obvious, but it does—

**Mr. Singer:** Particularly since it's unconstitutional.

**Mr. Lewis:** It may also be unconstitutional. But it does make of the compulsory arbitration a mockery, an absolute mockery. So the minister adds in an arbitrator at the end of the game to comment on things which others have commented on ad nauseam, and that arbitrator might as well not rule anyway since it is going off to the Anti-Inflation Board for one of Jean-Luc Pepin's consistent, thoughtful, rational decisions—another one to add to the travesty which they are erecting in the scrutiny of wages across Canada, while this government, as Tories in Ontario, does absolutely nothing about prices or profits and so the game continues to be played.

**Mr. Singer:** You voted in favour of them doing that in the Throne debate.

**Mr. Lewis:** Now, I come to the second point.

**Mr. Shore:** What did you do in the Throne debate?

**Mr. Speaker:** Order, please. The hon. Leader of the Opposition.

**Mr. Lewis:** I come to the second point I wanted to make about the nature of this legislation. It also fails to contain one of the items which make such legislation even tolerably fair if it has to be imposed. The minister hasn't even provided a floor for this arbitrator. He has in effect put the teachers—as, incidentally, he didn't do in his county, I don't think, and he hasn't done in other disputes—in a kind of double jeopardy. Not only does he appoint a compulsory arbitrator whose views have then to be passed on by the Anti-Inflation Board in Ottawa, but he gives to the compulsory arbitrator the right to bring in a settlement which may be below the board's offer, by saying absolutely nothing about it in the legislation.

**Mr. Martel:** Great stuff, Bill.

**Mr. Lewis:** That's very unfair. The word is fairness. That's terribly unfair to both parties, who have bargained under Bill 100 for God knows how many months. That's not

the way to work. Indeed, in most pieces of compulsory arbitration, including the compulsory arbitration which we have opposed in principle, the government, as Tories, has tended to include a percentage settlement which takes effect and is, as it turns out, the base on which the arbitrator renders the ultimate decision and the government therefore protects the workers from whom it has taken the right to strike.

If the government takes that right away from them and it feels that in the public interest it must be done, then the government has a concomitant responsibility to give them the protection at least of one of the offers. Even that isn't in the legislation. Can you imagine, Mr. Speaker, the turmoil in the school system and among the teachers if an arbitrator of the government's appointment comes in and recommends a settlement significantly below the last board offer? Do you think that would be good faith bargaining to the collective bargaining process in the Province of Ontario? It wouldn't be fair in any sense. I don't think that's the way a government behaves.

In other words, by a failure of political leadership the government brings us to this pass—in some considerable measure; not in total measure but in some considerable measure—and then it brings in legislation which is frankly wanting on a number of terribly important points. Okay, so what then does the New Democratic Party do about it, because the dilemma for us is almost complete?

**Mr. Grossman:** It was for Barrett too.

**Mr. Lewis:** That's right. We wanted to find—

**Hon. Mr. Davis:** You could find an answer without your seven-hour meeting.

**Mr. Lewis:** We wanted to find a solution which seemed to be fair, and the position—

**Mr. Reid:** Where were you on the Throne debate?

**Hon. Mr. Rhodes:** They saved your hide.

**Mr. Lewis:** The position which we are—

**Mr. Speaker:** Order, please. The hon. Leader of the Opposition has the floor now.  
[10:45]

**Mr. Lewis:** The position which we are working through in our reasoned amendment, which I shall put in specific terms in a mo-



ment, is essentially this. We accept as a caucus—and these realities exist in the world—that the education system cannot continue in its present state of breakdown and disarray; that that is just too damaging for pupils, teachers, boards, parents; the entire community.

I understand that; the caucus understands that. We understand there has to be some kind of settlement as quickly as possible. We don't think that the route the government has constructed will be helpful. We think that the route it has constructed can be terribly damaging to future collective bargaining processes in the whole educational system in Ontario. We want to have the schools open but preserve the collective bargaining process; and in fact that has been done successfully in one other jurisdiction.

Let me put it to you this way, Mr. Speaker. We think it is possible to accept the reality that the schools must open on Monday; we understand that reality. But we feel that within that context the parties be directed to continue collective bargaining and that the teachers be given the guarantee of the last board offer as a floor; and in that light, we feel the government has therefore instituted absolutely a serious element of fairness.

**Hon. Mr. Davis:** You can't believe that.

**Mr. Reid:** He wants it both ways again.

**Hon. Mr. Davis:** You can't believe what you're saying.

**Mr. Speaker:** Order.

**Mr. Lewis:** Yes, I do believe it; in total, without any hesitation.

I understand completely that the schools have to open. I also understand that if the government brings in the tried and true mechanism of compulsory arbitration in all of the successive disputes—in Kent, in Peel, in central Algoma, in the Soo, in Timiskaming—that's why the government is adjourning the House not proroguing it. The House leader told us yesterday in our private meeting we would be adjourning today.

The government is going to be faced, or we're going to be faced, with a series of instances of compulsory arbitration which will wreck Bill 100 and wreck collective bargaining in the teacher area, and I frankly don't think that is useful or desirable. So we're putting to the government a position which meets directly, if I can use the words of the Minister of Education, what he wants to do. I quote from page 9:

"One, get the high schools of Metro Toronto open and operating normally by next Monday."

That's what we say the government should do.

"Two, provide a means of equitable settlement in the dispute that has caused this strike and lockout."

A negotiated settlement is the single, most equitable settlement one can have. There is no guarantee of equity in appointing an arbitrator who can make a finding below the last board offer or a finding above the last board offer, which goes to the Anti-Inflation Board and is varied again and throws the whole system into chaos.

That's equity? That's not equity at all; that's absurdity. What we're putting to the government is that there is in fact a serious and thoughtful way out of this particular predicament.

The parties want to have a negotiated settlement. The boards, last night and this morning, have been talking about the possibility of a negotiated settlement. Even William Ross, as recently as this morning, has said it might still be possible to get a negotiated settlement.

**Mr. Deans:** Right.

**Mr. Lewis:** If the government really moves on these people and encourages them to get the negotiated settlement, and gives a floor which is fair—and we all talked about a floor which is fair in the emergency debate which we had here some weeks ago—and it has the schools open, then at least for the teachers it preserves the collective bargaining system; and for the community it builds in the possibility of a school system which isn't dismembered by hostility, anger and ill feeling and a great deal of inherent bitterness.

**Mr. Bullbrook:** Do you still believe that Mr. Pepin is to be the ultimate arbitrator?

**Mr. Speaker:** Order, please.

**Mr. Deans:** We would prefer not.

**Mr. Lewis:** I would prefer a thousand times that the decisions which are made by collective bargaining, or if it should pass the decisions which are made by an arbitrator, be upheld in the jurisdiction of Ontario without reference to the Anti-Inflation Board.

**Mr. Bullbrook:** Right, you bet your life.

**Mr. Lewis:** Absolutely; there is no question about that. But I must say to the



government that I think the position that we're putting—

**Mr. Reid:** He wants it both ways again.

**Mr. Lewis:** —the solution that we're putting to it has about it an answer to the specific provisions which the Minister of Education put—by God, I am speaking directly to them—and it also has about it a sense of fairness. You see, if we can get a collective bargaining settlement out of this, it will do tremendous things for the educational system. If we can get a collective bargaining settlement out of this, teachers and boards all over the province won't feel futile or have been given the signal that this is always the end. And the schools will still be open.

Getting the schools open and saving the years for the kids is what we are here for today. The minister understands it and we understand it, and we have accepted it and embraced it. That far we are prepared to come. But we are also prepared to recognize that, having embraced that position, we don't then undermine it and invite a destructive consequence by bringing in a pattern of compulsory arbitration which, let me say, may satisfy things at the moment but sure as the devil doesn't make sense in the long run.

If the minister has worked so hard—and I concede he has—over the last couple of years, trying to make collective bargaining for teachers work, then he should give it one last push within the context of the schools operating. If he has to intervene himself, then he should do so, because he can get a negotiated settlement; and there would be nothing so healthy for the learning process and the educational environment in this metropolitan area than that.

Before I put the actual wording of the amendment—and I think the positions that I describe are contained in it, that the schools would open, that collective bargaining continues and that the floor becomes the last board offer, which was not acceptable but at least guaranteed a means of payment, an interim settlement, which I think, with some exceptions, one of them a very notable columnist, the community by and large would be willing to accept. In fact, the community will consider it unfair that the government is ordering people back to work without any provision whatsoever for some kind of basic floor to the settlement.

Interjection.

**Mr. Lewis:** I don't think the government has done that before. I am working back in

my mind but the minister will recall that the government has used percentage figures in other compulsory arbitration legislation in order to overcome the unfairness which it has now enshrined in this bill. I don't think that is right and we don't think that is right.

**Mr. Bullbrook:** It's academic because of the government's agreement with the government of Canada. It has given them the right to make the decision.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** Whatever may be academic about the floor—and I can't dispute this crazy world we are in, where everything we do is subject to the imprimatur of a Pierre Trudeau and Jean-Luc Pepin: it sits so comfortably with the government—

**Mr. Singer:** Supported by the Ontario New Democratic Party.

**Mr. Lewis:** I really think it is time that the minister thought about rescuing the processes of Bill 100; I would like to make a footnote there and then I want to make my last comment, because I have gone on longer than I should.

There are clear weaknesses in Bill 100 which have been identified, and there are obvious difficulties for the Education Relations Commission which have been identified and which, I suspect, they themselves could articulate. But I don't think we should abandon the bill and I don't think we should abandon the commission; I think we should continue to try to make it work. One of the ways of continuing to try to make it work is to get rid of this nonsensical approach of compulsory arbitration and to have a little creative politics over there occasionally, if it is possible, and achieve the government's ends and the community's goals in a way that is vastly more harmonious to society as a whole.

One last word: A lot of us have been very disturbed—and the tone of the Minister of Education's statement today was, I think, the right tone—a lot of us have been pretty disturbed about the way in which the teachers have taken a public clobbering in this dispute equivalent to very few others. If anything can come out of this which can reinstate the educational system in a way which somehow returns to teachers a certain level of self-respect and to the community generally a rather greater level of confidence we've got to find a way to do it. At the moment it is just seething with enmity on all sides; I don't know what that means for



the long term in the educational system but when I pick up the Globe and Mail today and see those students wearing those sweaters with those inscriptions on sale at schools, I would not have thought that possible a number of months ago. That's kind of the way the nadir has been reached in all of this. It is time for a collective political rehabilitation and I put to the government that part of that rehabilitation is to allow collective bargaining to render a settlement that will work all around.

Therefore, I intend to move a motion, seconded by my colleague, the member for Wentworth (Mr. Deans), with the best will in the world, feeling that we have arrived at a reasoned amendment.

Mr. Bullbrook: It is a reasoned amendment not a reasonable one. You must understand that, Mr. Speaker.

Mr. Lewis moved that Bill 1 be not now read a second time but that it be read a second time one hour hence and that it now be referred back to have incorporated therein the following amendments:

Section 1, subsection 1(a), to be deleted and all subsequent clauses of section 1 be renumbered.

Section 2, subsection 2, to be deleted and the following substituted therefor: "During the period from and including the first Monday after the day this Act comes into force until an agreement as defined under the School Boards and Teachers Collective Negotiations Act, 1975, comes into effect, no teacher shall take part in a strike against a board of education and no board of education shall lock out a teacher."

Section 3, subsection 1, 2, 3, 5 and 6, to be deleted.

Subsection 4 of section 3 to be amended to read as follows: "The parties shall each give written notice to the Minister of Education within seven days after the day this Act comes into force setting out all the matters the parties have agreed upon for inclusion in an agreement and the matters remaining in dispute between the parties, and the notice shall be deemed to be notice to the commission and thereafter, except as provided in section 57 of the School Boards and Teachers Collective Negotiations Act, 1975, a party shall not withdraw from the negotiations hereinafter provided for."

Section 4, subsections 1 and 2, to be deleted and the following to be substituted therefor:

Subsection 1: "The terms and conditions offered by the boards to the teachers on Dec. 20, 1975, to be implemented on an interim basis."

Subsection 2: "The parties involved are instructed to resume forthwith negotiations in good faith in order to resolve all matters remaining in dispute."

That's the case we put to the government.

Mr. Nixon: We are here to see that the secondary schools of Metropolitan Toronto reopen next Monday and my colleagues and I intend to vote to see that that comes about.

The second thing that must concern us is that there is a fair and equitable settlement. While I have listened to the arguments by the Leader of the Opposition (Mr. Lewis) with care, it is my judgement that continuing negotiation is not a practical means whereby this might be achieved. It is with regret that we feel the time has come for an arbitrated settlement. There is a good deal to be said about the problems that are not of our choosing in this House although there is a remedy in this House for the problems that have been imposed by the Parliament of Canada and by the government of Canada in the Anti-Inflation Board. I will deal with that and my colleagues will deal with that in some detail.

[11:00]

One of the most regrettable situations that we face, however, is one that has already been alluded to and that is the depreciation in the morale and may I say the quality of education associated with this morale which we have seen occurring over the last number of years and it has, in fact, reached a nadir, at least we can't perceive how it could get worse. I can recall very well when I first entered this House in 1962—John Robarts was Minister of Education—the quality of education was not in question anywhere. The teachers considered that we had an enlightened government and enlightened policies in the Department of Education as it then was and I must say, to be fair, that this attitude followed Mr. Robarts' successor, the present Premier.

In those days of course there was no shortage of money. Anything that was for education, for research in education, for television in education, or anything that was associated with the quality of education as it was then understood was provided by this government, and actually provided rather easily compared with our judgement now, by the local boards of education, but it seems to me the deteri-



oration took place probably in 1971. It started then. A significant date, and the Premier knows about that date, and since then it has been all down hill.

In my opinion, and I want to reinforce what the Leader of the Opposition has said, there were at least three occasions when the Minister of Education and the Premier himself could have intruded, if they want to use that word, intruded themselves and their high offices into the negotiations in a way which I believe, with sensitivity and fairness, could have achieved a settlement. They neglected to do that and you may recall, Mr. Speaker, that you yourself brought me to order in the House when, day after day, I raised this matter before the Christmas prorogation. You called me to order for being repetitious. The Minister of Education, in my view, probably under the tutelage of the Treasurer (Mr. McKeough), had indicated very clearly that this was out of our hands, everything had gone to Ottawa, and what could we do when we were joining in the great fight against inflation; all of the authority and all of the responsibility now resided with the Parliament of Canada and what could we do?

I say, sir, that their decision was incorrect. It remains incorrect and I would suggest to you, sir, that in the future they will have to correct it by establishing some provincial implementation in these matters so that in circumstances that are directly, under the constitution, provincial in their import, will, in fact, be decided by decisions of this House or the emanations of the government that draws its power from this House.

We put that forward strongly as a contention in both the Throne debate and in our views expressed repeatedly to anyone who would listen. We still believe it is true and we believe that there is something rather strange in the fact that two days before this legislation is brought before us, the Treasurer, with fanfare, appears on television and with a flourish says that he has signed an agreement on behalf of the government of Ontario with the government of Canada, handing over completely the responsibility of these negotiations, for admittedly, a limited period of time but certainly for a substantial period of time based only on the authority or order in council OC48-76, dated Jan. 12, without reference to the House, because they knew they could not get the authority from the House because a substantial, a large, a thoughtful majority of this House believes that he and they are wrong in this regard.

**Mr. Maeck:** He said he was going to go back to the House.

**Mrs. Campbell:** Yes, what happened to your commitment?

**Mr. Nixon:** As I say, we are here to reopen the schools; we are here as well to have a settlement with the teachers which in this statute will be imposed, as my colleague has said repeatedly in his interjections and will be saying in his more formal comments in this House, subject to the judgement of another government which may or may not be knowledgeable in education matters, but surely is not going to have those special areas of expertise which are going to be necessary in order to have a proper and fitting settlement in this continuing situation and in the others that will follow, as has already been mentioned, because there will undoubtedly be others following.

I do blame the Minister of Education—who is hard working, and he's told us already about the numbers of meetings—and I blame the Premier for not intruding themselves—they use the word and I will use it as well, why not?—intruding themselves into these negotiations in some effective way. I will tell you, Mr. Speaker, and I think you would agree, that there is a residue of respect for the Premier from his days as Minister of Education, those palmy days when we didn't face any of the problems, fiscal or otherwise, that we have to grapple with now. There is a respect there which would have meant that there could have been at least a substantial valid possibility of a solution, and the Premier was afraid to use those powers which he has. I mean those personal powers, not only of his office, but of his former involvement in education. I regret it. I feel that he is afraid he may fail. His justification is that he wants the provisions of Bill 100 to follow their course, which they now have, but I believe that that is a weak excuse for a lack of acceptance of the responsibility that is undoubtedly his.

I don't want to recount the history of the present situation; it has already been referred to rather specifically by the two previous speakers. It goes back a long time. The Reville report, you may recall, Mr. Speaker, evinced from the teachers and other school boards as well that they were politicized at least in realizing that their references to the Premier and to the various opposition parties could put back the thoughts that had been presented to the education community and this Legislature by Judge Reville, and we didn't hear much about that. It was the beginning, I believe, of the understanding of the teachers that their future was, in a large measure, in their own hands and their pro-



fessional organizations accepted this responsibility. This whole concept, because of the inadequacies in the government decision and I suppose certain inadequacies in legislation, but I'll come to that in a moment, has led us to this position where we are this morning, dealing with compulsory arbitration.

Bill 100 was the culmination of the work of the government and a lot of hard thought and argument and worry on behalf of at least this opposition party. I believe that Bill 100 is a landmark piece of legislation. We supported it at the time. I have a feeling that the Minister of Education—and I don't know who his allies were—had as much trouble, probably more trouble, with his colleagues in the government of Ontario as he had with anyone else in getting that bill put before this House as government policy.

I believed and I still believe that it was a broad bill and one in which most of the negotiations between teachers and school boards can be accomplished and accomplished with sensitivity and usefulness and to a good and acceptable conclusion. We in the Liberal Party have always felt that among the important responsibilities of membership in this House is the responsibility to vote to end a strike where it is clear that negotiations are not going to result in success and where further negotiations seem to be futile. In our judgment, the negotiations have now proved to be futile in this particular situation.

It is beyond me to recount all of the circumstances that followed from the beginning of negotiations with the committee of board chairmen in Metropolitan Toronto and the representatives of the secondary school teachers' federation. It's true there have been a number of highpaid and expensive mediators, fact-finders and so on. I was amazed to read in the Webster column in the Globe the other day that the mediator or fact-finder, whatever his capacity was at that stage, at one time was being paid at the rate of \$19,000 a month. We've been throwing around loosely \$500 a day. Judy LaMarsh probably settled at too low a figure, and maybe that agreement should be renegotiated under these circumstances.

**Hon. Mr. Davis:** Are you suggesting it?

**An hon. member:** It was within the guidelines.

**Mr. Singer:** Which of her jobs?

**Mr. Lewis:** It's a good thing that Stanley Hartt made his report before the October announcement.

**Mr. Nixon:** It seems to me that it's a strange thing for the Leader of the Opposition to be concerned about the costs, in this case, of an arbitrator—and we haven't had an arbitrator yet—when it is evident that the costs of these negotiations have been enormous on the part of the secondary school teachers and on the part of the school board. Where the secondary school teachers probably dig that money out of the contributions from their own membership, the school board gets it from only one source, and that's from the pocketbooks of the taxpayer. I really can't see this appeal to economy by calling for continuing negotiations.

**Mr. Reid:** That was one of his weaker speeches; it was a weak speech.

**Mr. Nixon:** It may be that the teachers have a year's lease on those suites in the Prince Hotel—at least they are paying for it themselves—but the school board costs really are astronomical. I think the argument is a weak one and I don't want to stick on it, if the Leader of the Opposition doesn't mind.

**Mr. Lewis:** Not at all.

**Mr. Reid:** All his arguments were weak.

**Mr. Nixon:** But obviously the arbitrator, with the authority granted by the Legislature today or tomorrow, or whenever it is granted, will have to get down to business without delay. I would be interested to know who the arbitrator will be. The minister, in a private meeting yesterday, indicated that he might be able to announce it today. Somebody suggested it would be one of the senior Lewises that would be available, and I would think that that would be an arbitrator who would be eminently acceptable to all concerned.

**Mr. Shore:** Or maybe the junior one.

**Hon. Mr. Davis:** I want to know, is there more than one senior Lewis?

**Mr. Lewis:** We suggested that some weeks ago; had you done it then, it would have worked.

**Mr. Nixon:** Well, you know—

**An hon. member:** It was out of the question.

**Hon. Mr. Rhodes:** That would be patronage; you can't do that.

**Mr. Lewis:** Instead of that happy trio over there.

**Mr. Nixon:** Mr. Speaker, one of the aspects of Bill 100, which was referred to by both the previous speakers, is the Education Relations Commission; and while the minister has to be respectful toward that commission because he fathered it—

**Mr. Foulds:** Only figuratively speaking, of course.

**Mr. Reid:** That's why it was so long in coming.

**Mr. Shore:** He actually mothered it.

**Mr. Nixon:** I am corrected; I understand he mothered it.

**Hon. Mr. Rhodes:** Spoken by a single expert in the field, too.

**Mr. Nixon:** But it was also referred to by the Leader of the Opposition, who didn't want to be too critical because the chairman is a close, respected friend of his. I don't have any of those restraints. I believe that the Education Relations Commission has been one of the more significant failures in Bill 100. I am not suggesting, as the *Globe and Mail* suggested yesterday, that it be phased out. I believe that its failure has been due, more than anything else, to the lack of vision on the part of the minister and the government in supporting it and utilizing it as, in my view, it must be used in the future. The fact is that of the five members, only three were appointed for a considerable length of time—are there five now?

**Mr. Lewis:** I think so, yes.

**Mr. Nixon:** Did they finally make it to five?

**Hon. Mr. Wells:** Yes.

**Mr. Nixon:** You finally found two more who found two more who are willing to serve. All right. And, as has been pointed out repeatedly by Norman Webster in his column, the chairman was out of town for a good deal of the time and they couldn't even get a quorum. In other words, it was totally ineffective.

**Mr. Lewis:** That's true.

**Hon. Mr. Wells:** That's not true; that's not true.

**Mr. Nixon:** Oh well, I get my authority from the *Globe and Mail*; the minister can have his argument with Canada's paper of record.

**Hon. Mr. Rhodes:** Do you always agree with Webster's column?

**Mr. Nixon:** I always read it—and so does the Minister of Housing!

**Hon. Mr. Rhodes:** But do you agree with it? It said some unkind things about you.

**Mr. Nixon:** I agreed with it when it said the Minister of Housing comes a little short of expectation.

**Hon. Mr. Rhodes:** You are the last guy to make that statement, I tell you.

**Mr. Bullbrook:** Quit while you are behind, John.

**Mr. Singer:** It can only get worse, John.

**Mr. Bullbrook:** You can't do it—

**Mr. Speaker:** Order, please.

**Mr. Nixon:** Thank you, Mr. Speaker. I would suggest to you, sir, that if there was a failure on the part of the Education Relations Commission, it was because the government did not take it seriously and did not intend to take it seriously. It was set up as a tame group of people who would tell the government when to end the strike so that they would have that particular weak reed to lean upon, and the minister leaned upon it weakly this morning when he said the commission had advised that now—

**Mr. Mancini:** After two months.

**Mr. Nixon:** —the educational and academic year of the students was in jeopardy. When you think of the numbers of students in this city who are working on a semester system—and somebody could give me the figure; I am sure the Minister of Education can—

**Mr. Shore:** Don't count on it.

[11:15]

**Mr. Nixon:** —to suggest that the accomplishment and success of their semester has not been in jeopardy now for weeks is ridiculous, just ridiculous. The fact that we have no departmental or external examinations means, I suppose, that the teachers or somebody can grant a certificate to anyone who comes back for any number of days. I have felt that the Education Relations Commission itself has been a notable failure in this regard and has almost been a subject of levity in that it convened one meeting, on Saturday, knowing full well, as it must have, that the government was going to bring in legislation to end the strike anyway. It had been announced, for heaven's sake. After great deliberations, hearing from a group of



teachers, a group from the board and a few citizens, they put their heads together and said, "Yes, it is time to end the strike." This allowed the minister to come in and say the government is doing this on the recommendation of that commission. Well, there is a strange kind of osmosis going on there.

I would suggest to you, Mr. Speaker, that the government should consider substantially upgrading the role of the Education Relations Commission because it is true that there will be other occasions such as this, if we are unfortunate, and I have a feeling we will be. The Education Relations Commission is going to have to be upgraded so that it becomes very much a counterpart of the Ontario Labour Relations Board in my view. It is here to stay and it has to be considered far more important than it is presently considered. I would suggest very strongly that this occupy the attention of the government and the House in the near future. I believe in the strength and efficacy of Bill 100. I believe the role of the commission and certain other aspects must be amended in the light of our experience in this long negotiation.

As I have said, I too have been deeply concerned about the role of the Anti-Inflation Board. Representatives of all three parties have said they believe the economy of this province and of Canada must have some sort of control measures of this type to offset and control the ravages of inflation. I have no complaint whatsoever with the initiatives taken by the Parliament of Canada. Anyway, it doesn't matter whether I have. They have been taken, and the Anti-Inflation Board is in place.

I do say again that it is unfair and irrelevant and, as my colleagues keep saying, illegal and unconstitutional that the tremendous authority and responsibility that are vested in this House by the constitution be handed over simply by a mimeographed statement from the Treasurer (Mr. McKeough), which I understand he is going to table later today. This is a matter of substantial concern and we want to deal with that at some length later in this debate.

I personally believe and have said before that it is the responsibility of the Minister of Education, and perhaps the Premier as well, to involve himself with the teachers' professional organizations and their spokesmen and the school boards and their spokesmen, to go to Ottawa and assist them in getting a ruling that will allow this kind of a settlement to take place now and to remove the uncertainty which has been so seriously dislocating negotiations among teachers and

others in the public field across this Province of Ontario.

You may recall, Mr. Speaker, one of the points we made from this side of the House last fall was that either the Minister of Education should go himself or, if the Premier wants to participate, the government could ask or I suppose even summon the representatives of that federal board to come to Ontario so that, failing the establishment of provincial implementation itself, we would know how we could deal with these circumstances as they affect us in this province.

Some of the provisions of the bill itself have concerned us and we, as a caucus, will be dealing with this in some detail when the bill comes before the committee of the whole House. The whole matter of the arbitrator having responsibility for a two-year term is of some concern. The minister's comments privately to me and to others were that, if it were not for a two-year term, it would mean that within the next few days notice could be given, and undoubtedly would be given by the representatives of OSSTF to the Toronto boards, that they wanted to begin negotiation for next year's settlement.

I've got this ambivalence in that though I've been talking for provincial implementation of the anti-inflation provisions, the government has adamantly refused to do so. Although there is a real chance of change in the future, I believe we are left directly under the supervision and the direction of the federal Anti-Inflation Board. You will note, Mr. Speaker, that the terms of reference and the specific aspects of the law call for a limitation for salary increases during the first year following the implementation of the anti-inflation legislation. In the first year the increase is to be eight per cent. You may have forgotten about that figure because they say there can be another two per cent for productivity, which makes it 10. There is another two per cent for catch-up which can make it 12. Then there is a certain other area which has no limit, apparently, which is for historical connections and that sort of thing—and the fact that the agreement is more than two years old.

Without going into the argument as to what the settlement for Toronto should be, the federal law called for the first year to be controlled by an eight per cent increase—with all of those changes that I have referred to. But for the second year it is quite clear that the increase is going to be six per cent and for the third year the increase is going to be four per cent. As far as I can see in the



legislation, there is very little judgement left. There is very little flexibility left which has been given to the board to be used during the phasing-in period of the anti-inflation procedures.

The thing I put to you, Mr. Speaker, is that it may not be necessary to have this bill apply for a second year since, if we are going to be governed by this agreement in this province, signed by the Treasurer and the representatives of the government of Canada, the increase for the second year is limited by law to six per cent. While there can be negotiations and arguments about the salary base and everything else, really the arbitration has already been accomplished by federal legislation. So, I would suggest that the effectiveness of the second year is, in my opinion, in question.

I am also very much aware of the argument that has been put—as I say, privately, by the Minister of Education—that it could efficiently settle the situation, and probably to the benefit of the teachers as well, over the second year. Before saying to you, Mr. Speaker, that we intend to amend that area, I would look forward to hearing from the minister, or other representatives of the government, in this connection.

We are prepared to vote for the principle of the bill. We believe the schools must be opened. We believe that the arbitration is necessary when we look at the history and tradition—the history, particularly—of this negotiation.

I now want to deal very briefly with the amendment that has been put forward by the Leader of the Opposition (Mr. Lewis). It appears that the problems that he referred to earlier in his statement—I suppose he wouldn't think of them as problems but simply strikes—that the traditions of his caucus is very much against supporting this type of legislation and has led to this amendment. In fact, it means that they will vote against second reading—and the justification is that it should have been done another way.

You will know, Mr. Speaker, that under our rules, as I understand them, we do not vote on the amendment. The question you will put to us will be: "Will the bill now be read a second time?" That is the time when members have got to stand and say if they are voting in favour of the principle of the end of the strike or not.

**Mr. Deans:** No, no.

**Mr. Nixon:** All right. It's up to the NDP to explain their particular position.

**Mr. Deans:** Why don't you think about it?

**Mr. Nixon:** It's ambivalent. They are trying to have it both ways.

**Mr. Bullbrook:** They're going to vote against the bill.

**Mr. Lewis:** That's right.

**Mr. Nixon:** They are going to stand in this House and vote against the bill and then go out and tell everybody that, really, they are in favour of the power of the Legislature being used to end the strike—and that's their job.

**Mr. Singer:** Sure—expediency gives way to principle, or vice versa.

**Mr. Nixon:** I've had things like that to explain before and I know it is very difficult—so lots of luck. But, essentially, and I give the NDP credit for this—

**Mr. Renwick:** You've never thought anything through before.

**Mr. Nixon:** —that they have said, on the philosophy of their party, they do not come into the House to vote for this sort of legislation. I can't recall an occasion when they have; although their leader has certainly said—and I've heard him say—that they believe in compulsory arbitration for essential services—although some of his people during the election said otherwise; but that's another matter.

**Mr. Deans:** Why don't you read the amendment?

**Mr. Nixon:** I would simply like to say to you, sir, because we all have to explain our positions—

**Mr. Cassidy:** Why don't you read the amendment?

**Mr. Nixon:** —that when you, sir, put the question the question is: "Shall this bill be read a second time?" And we are going to vote yes.

**Mr. Foulds:** Is this your main speech?

**Hon. Mr. Davis:** Mr. Speaker, it is my intention to speak very briefly on second reading. However, I think it's appropriate in a bill of this nature and, as serious as is the step being proposed by the government to the members of this House, that some few words are expressed. I think I can fairly state that it is with some regret that this bill is being discussed by members of this House. This government, with the support of mem-



bers opposite, passed Bill 100. It was our expectation that this in fact would resolve the traditional problems of teacher-board negotiations. Very few people recall that so much of this in the past had been done basically by way of practice or tradition that there was little by way of legislation governing the teacher-board negotiations. I can recall even becoming involved in one negotiation here in Metro—I think it was in 1969 or 1970—where we were very close to a possible resignation situation, and it was after very considerable debate and a great deal of soul-searching on the part of government that Bill 100 was introduced and passed.

I share the concerns expressed to me today by many people. I won't minimize it; I don't think there is any question that the present economic situation, the policy determinations being made by the federal government—incidentally, and I am not going to be a hypocrite about it, we have said things needed to be done long prior to those statements made by the government of Canada—I don't think there is any question that this has had some effect on the traditional bargaining procedures. It has had some impact in terms of some of the teacher-board negotiations that have been going on throughout this province. I don't minimize it.

We are faced today with a situation where I think the members of this House are called upon, in conscience, to set aside some of these traditional postures, some of these considerations that all of us feel very important, and recognize one very basic fact; that is, that we do have a responsibility to 140,000 young people in the educational system in Metropolitan Toronto.

**Mr. Lewis:** Agreed.

**Hon. Mr. Davis:** I recall very vividly the words used by the minister when Bill 100 was introduced; he quoted them here today and I could almost quote them without reading them—

**Mr. Foulds:** Go ahead.

**Hon. Mr. Davis:** He said, without question, that as far as the government was concerned—and I would like to think he spoke for all members of this House—while we anticipated and eagerly hoped that the procedures outlined by Bill 100 in fact would solve the problems, that we did not preclude our responsibility being called upon to be discharged in terms of seeing that the educational system was not unduly disrupted.

The leader of the Liberal Party can speak in a very critical fashion of the Education

Relations Commission. I would like to introduce him to the chairman of that commission, who is sitting in the gallery. I have had no great personal involvement in terms of their deliberations, etc., but I think to say that it has not been effective, that it hasn't attempted to do a job, really is an unfair criticism of the commission.

**Mr. Nixon:** I said you didn't support them properly. You didn't even appoint a full commission.

**Hon. Mr. Davis:** I think that when we look at Metropolitan Toronto—and no one minimizes the importance—the fact is the commission has been extremely helpful in a number of situations in bringing conclusions to a number of negotiations throughout this province which we tend to overlook.

Now, I am not going to try to have it both ways—

**Mr. Shore:** You have been doing it.

**Hon. Mr. Davis:** We are not comfortable with having to do what we are doing. I don't think any of us in this House is. All of us would like to have seen this matter concluded by way of negotiations—

**Mr. Deans:** Why does it have to be one way or the other?

**Mr. Lewis:** What is this black-and-white interpretation of the situation?

**Hon. Mr. Davis:** —but the fact is that this has not occurred.

**Mr. Lewis:** It could if you intervened.

**Hon. Mr. Davis:** I am not here to lay blame or responsibility. I know the Leader of the Opposition would like to try to put some of that on my shoulders. That's fine. That's politics. He talks about political leadership—well, I am not calling him a hypocrite—I wouldn't use that terminology—

**Mr. Shore:** Never.

**Hon. Mr. Davis:** —but I say the position of the New Democratic Party on this issue is contradictory. Their amendment poses no solution.

**Mr. Lewis:** Certainly it does.

**Mr. Reid:** It is unlawful; that's what it is.

**Hon. Mr. Davis:** They are taking away the right to strike at the same time as they are trying to have it both ways in terms of their position. No question at all about that.

**Mr. Lewis:** You are suggesting a settlement that will preserve a system for you.

**Hon. Mr. Davis:** You know, when I try to follow the logic of his position and his party's position, I think back to just how convoluted the former Prime Minister of Canada, Mackenzie King, even with his crystal ball, used to be, and I have decided there is clarity in his approach to these things compared to the position of the New Democratic Party in this province on this particular issue.

**Mr. Bullbrook:** How did you get Mackenzie King into the act?

[11:30]

**Hon. Mr. Davis:** You know, Mr. Speaker, you can't say that you are going to legislate an end to a strike at the same time as you say you want to have this continue. You can't have it both ways.

Interjections.

**Mr. Speaker:** Order, please. The hon. member for Brampton has the floor.

**Mr. Bullbrook:** I want to know how he got Mackenzie King into the Act.

**Hon. Mr. Davis:** Mr. Speaker, I have a great feeling for history.

**An hon. member:** He's the arbitrator.

**Hon. Mr. Davis:** You may recommend him as the arbitrator, somebody said.

**Mr. Wildman:** A well-known Liberal.

**Hon. Mr. Davis:** Mr. Speaker, I don't always, on educational matters, find myself in agreement with the member for Brant-Oxford-Norfolk (Mr. Nixon)—have I all the constituencies?—but on this occasion, on the one aspect of it, I do.

I was encouraged by his observation that they are going to support the bill on second reading, that is the essence of it; and secondly, that it must be done with some sense of urgency.

Mr. Speaker, the position of this government is very clear. We are faced with a shutdown of the school system of Metropolitan Toronto; negotiations have been carried out under Bill 100, they have not worked—

**Mr. Deans:** Worked? They haven't been given a chance.

**Hon. Mr. Davis:** We have a responsibility as members of this House to put the school system back to work as of Monday morning.

**Mr. Lewis:** You could get a settlement.

**Hon. Mr. Davis:** Mr. Speaker, I will say this to the members of the House, I'll make this undertaking right now: if the parties agree prior to third reading of this bill that they have come to a negotiated settlement—

**Mr. MacDonald:** Oh.

**Hon. Mr. Davis:** —I'll get the House leader to move the adjournment of the House.

**Mr. Lewis:** Had the Premier tried to do that it would have happened.

**Hon. Mr. Davis:** I will be delighted.

**Mr. Renwick:** Will the Premier delay third reading?

**Hon. Mr. Davis:** But you know it isn't going to happen. You know it isn't going to happen. All the rhetoric in the world, I say to the leader of the New Democratic Party—

**Mr. Lewis:** Why should it not happen? Why don't we try to make it happen?

**Hon. Mr. Davis:** I have never seen him struggling more in this House trying to rationalize with his own conscience the petition that he put before us today; I really haven't. I say that, but I say it very kindly.

Interjections.

**Hon. Mr. Davis:** I know what he has gone through for seven hours plus.

**Mr. Reid:** This must be his weakest hour; the Leader of the Opposition's weakest hour.

**Hon. Mr. Davis:** I sympathize with him, but it is time to stand up and be counted; it is time not to try to have it both ways.

**Mr. Martel:** We will.

**Hon. Mr. Davis:** I want to say something else, Mr. Speaker. I will assume any criticism that comes to me—that's part of my job—but I want to say this about the Minister of Education (Mr. Wells): I think he has done a first-class job in endeavouring to resolve the dispute here in Metropolitan Toronto. I am not talking just about the time that he has put in and the leadership he has given but the conscience he has demonstrated; his resistance to coming down on one side or the other in terms, I think, of statements that might affect the long-term interest of the school system in this community. I think he deserves our congratulations. I don't ask you to stand up and applaud but I want the record—



**Mr. Foulds:** Oh no.

**Mr. Roy:** Oh no.

**Hon. Mr. Davis:** No, I don't. But I tell you it is not a simple responsibility in this day and age, and I just want the members of this House to know that as Premier, responsible for the overall direction of this government, which I never try to shirk, that I think the Minister of Education of this province, in this situation, has done an excellent and first-class job and I have no hesitation in saying so.

**Mr. Bullbrook:** Are there any medals?

**Hon. Mr. Davis:** I think you will agree with me in the process.

**Mr. Singer:** Why doesn't the Premier get him to build houses because that is not working so well either?

**Hon. Mr. Davis:** Mr. Speaker, I am not going to get into the various provisions of the bill. They are simple; they are relatively short. We are interested in equity.

**Mr. Makarchuk:** Simple is right.

**Hon. Mr. Davis:** I think this is a way in which equity can be achieved. I know the leader—

**Mr. Lewis:** Equity? You are taking them to compulsory arbitration.

Interjections.

**Hon. Mr. Davis:** I know that to satisfy their own problems members of the opposition talk about another arbitrator. Mr. Speaker, part of the equity, part of the need in the long term interest of the school system, is also to bring some finality to it. Their amendment solves nothing.

**Mr. Deans:** Neither does the Premier's bill, incidentally.

**Hon. Mr. Davis:** Their amendment solves nothing; it solves nothing and they know it.

Interjections.

**Mr. Speaker:** Order, please. The hon. member for Brampton has the floor.

**Hon. Mr. Davis:** I don't intend to prolong this part of the debate. I may have some observations on certain sections of the bill, but I would urge the Leader of the Opposition, because there are some hours left, to reconsider carefully the—

**Mr. Lewis:** Not at all.

**Hon. Mr. Davis:** —reasoned but unreasonable amendment that he has proposed to second reading on this bill.

**Mr. Singer:** We are going to be expedient.

**Hon. Mr. Davis:** I urge him to join with the other members of this House and unanimously say to the people of Ontario, particularly the people of Metropolitan Toronto, yes we do care about those 140,000 students and we want them back in school Monday morning at 9 o'clock.

**Mr. Renwick:** Why doesn't the Premier take the several hours that are necessary to think creatively?

**Mr. Lewis:** This could be quite an enjoyable day.

**Mr. MacDonald:** Before the Premier goes, I want to make sure if he is going out for a moment of relaxation that somebody gives him a copy of our reasoned amendment. He obviously hasn't read it. He may have a copy but he hasn't read it, because his peroration, his final comment, was that what he wants the New Democratic Party to do is to join with the government in making sure the schools will open. Will he read the reasoned amendment? It is that the schools will open on Monday.

**Mr. Martel:** The Premier is dragging a red herring through it.

**Mr. MacDonald:** Let that sink in.

Interjections.

**Mr. MacDonald:** That brings me to two points I want to make at the very outset. In that account of the events that built up to the introduction of this bill, the minister had one place where I want to suggest to him he was at least premature. He said he had come to the conclusion that further negotiations held no prospect of a resolution of the impasse. Yet this morning we had the most intransigent member of the negotiating committee on the board side, namely the chairman of the board, saying there was an outside possibility that it may happen.

I am sure the minister knows that almost paralleling the seven hours in which the New Democratic caucus was meeting, the chairmen of the boards were meeting last night. And according to the news this morning, they are meeting again this morning because they think there is a solution possible.

Interjections.

**Mr. MacDonald:** The Premier intervened to begin to cover his flank by saying, if perchance a negotiated settlement is reached before the third reading of this bill, he would be glad to withdraw the bill.

Do you know what that adds up to, Mr. Speaker? It adds up to this, that a negotiation is possible. If this government had intervened at some point and exercised the good office of either the minister or the Premier, perhaps some of that intransigence that unfortunately develops in negotiations of this nature could have been overcome earlier; and indeed it may, because of the threat of the legislation, be overcome now.

What I want to do is to emphasize the salient points of our reasoned amendment and try to get the impact of it across both to the government and to the leader of the third party, the hon. member for Brant-Oxford-Norfolk (Mr. Nixon) because, quite frankly, in terms of the objectives that he states, I think our reasoned amendment is going to meet them, I would hope, in a way that he would find more satisfactory than what the government is now doing. I ask him just to listen and I hope I can persuade him.

**Mr. Nixon:** I will listen. I always listen.

**Mr. Martel:** He is a reasonable man.

**Mr. MacDonald:** Let me reiterate once again, because if the Premier didn't grasp it it is just possible that somebody else throughout this House hasn't grasped it, that the primary objective of the reasoned amendment is that the current disarray and collapse of the school system in Metropolitan Toronto shall be ended as of next Monday morning. The schools will be open. The teachers will be back. So don't drag in irrelevancies, as though that isn't in the amendment. It is there. It is point one in the amendment.

However, we feel that it is possible to meet this reality, this pressing need, and yet at the same time do something about protecting, restoring and placing back into operation the whole free collective bargaining process. In light of the comments from Mr. Ross this morning, we have at least a glimmer of hope that with a little push it can be an effective collective bargaining process.

We don't want to destroy the whole operation of Bill 100. We have growing misgivings about certain aspects of Bill 100 which at an appropriate time, at another time, we would like to discuss, because I think experience has suggested where it can be strengthened, where it has been misinterpreted and where perhaps

it is being misused. For the moment, we don't need to.

We want to restore Bill 100 to make certain that it isn't shattered because of the whole trauma of this one strike in Metropolitan Toronto. The Minister of Education (Mr. Wells) is correct in reminding us that Bill 100 has been a useful vehicle in getting settlements. I don't know what the exact number is now, but even before Christmas it was something like 60 to 70 different settlements across the Province of Ontario. That's a fairly good record in view of only one strike here that has caused all these difficulties.

However, there are two or three other clauses in the bill to which I want to refer and throw them into the context of our reasoned amendment. As the Leader of the Opposition (Mr. Lewis) has pointed out, it seems to me that the government is inviting a perpetuation of all of the bitterness and the uncertainty, that has characterized the latter stages particularly of these negotiations, by not having in the bill some assurance that the arbitrator is not going to be able to come back with a settlement which conceivably could be lower than the last board offer. In our view that is an unnecessary kind of uncertainty. Therefore, our reasoned amendment is suggesting that that should be included in the bill so that we eliminate the uncertainty and so that the teachers can go back to the schools feeling that they haven't been battered by absolutely everybody in the community—a situation which is going to create tension and a whole jeopardizing of the operation of the educational system.

There are two other weaknesses in the bill. One has to do with a rather mixed reaction to the proposition of the two-year term. I'll be very frank, at one point in considering our reasoned amendment we gave some consideration to the proposition that it should be for only a one-year term. But if we are going to send the parties back to bargain, it seems to me that whether or not it is going to be a two-year term or a one-year term is something that they can and should settle as part of the collective bargaining process, because the relationship of one year to another is a very integral part of negotiations in many instances. So while we are inclined to believe that one year is appropriate rather than two, we think that should be left to the collective bargaining process.

Another weakness, and I want to speak to this for at least five minutes or so, is the whole position of the government with regard to the AIB. As the Leader of the Opposition pointed out, they really have established a



process of appointing an arbitrator who's going to come in with a binding and compulsory arrangement, presumably, when in fact he has no power at all.

**Mr. Bullbrook:** That's right.

**Mr. MacDonald:** He is going to come up with a solution that then goes off to Ottawa. You're making a mockery of the whole process, even of compulsory arbitration let alone normal collective bargaining. It seems to me there's some obligation in the part of the government to stand up and be counted—if I may borrow the phraseology of the Premier—to stand up and be counted on this issue. Are they going to let the arbitrator come in with some sort of a settlement and then send it off to the AIB and let the AIB turn the whole thing down?

**Mr. Bullbrook:** That's exactly what they intend doing.

**Mr. MacDonald:** Just pause for a moment and consider the situation we would have in the Province of Ontario or in the schools in Metro if that kind of an eventuality were to take place.

I want to remind the Minister of Education that back about mid-December I asked the provincial Treasurer (Mr. McKeough) whether or not, in the agreement that Ontario was negotiating with Ottawa, any consideration was being given to having included in that agreement a residual or reserve power on the part of the cabinet in the Province of Ontario to overrule the decision of the AIB under unique circumstances where it felt, for a variety of reasons, that settlement should be accepted even though it may be in breach of the guidelines.

I was rather interested in the reply of the provincial Treasurer. His comment was that he thought he detected the concern that was in the mind of the questioner and he wanted to assure me that he shared that concern, but he felt it should be left with Ottawa. Now that the agreement has been signed we find that it has been left with Ottawa, but not completely, Mr. Speaker, and this I want to draw to the attention of the House. It's interesting that as far as wages are concerned this government has completely handed over the power to the AIB; but when it came to prices, what the government has done is to establish in the notification section of the agreement with Ottawa the fact that under certain circumstances if the AIB wants to review an agreement that has been reached it will have to notify the appropriate minister in this government, and the appropriate minister will

then give them permission to review it if he deems it advisable. That is in reference to six different sections.

1. Those portions of the provincial public sector in respect of which any price or profit margin is effected or regulated in a manner referred to in subsection 4(1), subsection 1 of the federal Act;

2. The Ontario Northland Transportation Commission;

3. The Ontario Food Terminal Board;

4. The Ontario Stock Yards Board;

5. The Algonquin Forestry Authority;

6. The Ontario Transportation Development Corp.

In other words, if this government saw fit in those six different areas to say in effect that the AIB was not going to have final power, I want to ask this government why, in exceptional circumstances, to be decided on an ad hoc basis on a careful assessment of their merits or demerits, the province shouldn't exercise that power on the wages side as well as on the prices side.

[11:45]

How the government were to achieve that I don't know, but at least it seems to me that if a settlement is possible through the arbitrator that the government is going to appoint, the prospect that when a settlement is brought down, that settlement may be turned down by the AIB is an intolerable proposition. If we have difficulties now, they are going to be immeasurably compounded. It seems to me the government has to stand up and be counted, at least to say that when the arbitrator comes down with a decision, if that has to be reviewed before the AIB, then the government will indicate it is willing to go down and use its good offices to persuade the AIB that that decision should be accepted. In fact, I would go further—I think it should be an amendment to the agreement, but that's another matter at the moment.

In fact, just as a concluding comment on this point, when the hon. member for Sarnia (Mr. Bullbrook) intervened during the course of the remarks of the minister and referred to the role of the AIB, the minister chose his words very carefully. He said it would be referred "for consideration" of the AIB; he didn't say "for decision" of the AIB, and I quite frankly am a wee bit puzzled. Was that choice of word meaningful? Has the government got something in the back of its mind with regard to exceptional circumstances, that isn't a part of the contract or the agreement at the present time? As I understand it now, when it is referred to



the AIB it isn't for consideration. Anything on the wages side or on the salary side, when it is referred to the AIB, it is for a decision. I invite the minister to clarify that point.

Mr. Speaker, just let me conclude my remarks, because there are many people who want to speak and I think we can make our points rather briefly. I want to address remarks first to the government, and then secondly to the members of the Liberal Party. The Premier (Mr. Davis) said to us that the time has come to set aside traditional postures. What I want to point out to the government and particularly to the Minister of Education (Mr. Wells), since he is the only minister deeply involved who is now here to listen to my remarks—

**Mr. Martel:** No one is even listening.

**Mr. MacDonald:** —is that the New Democratic Party has departed from traditional postures, make no mistake about it. The position of the New Democratic Party traditionally has been against back-to-work legislation, and our reasoned amendment because of the situation in Metro at the present time accepts the proposition that back-to-work legislation and the opening of the schools are a necessity. They are a necessity that the overwhelming majority of the people in the community wants; indeed, they are a necessity that I am persuaded the overwhelming majority of the teachers wants, as well as the community. We have dealt with the point and it is not part of our normal posturing, if one wants to use that pejorative term.

However, we went one step forward. We feel that the government can get the school system back into operation, but it doesn't need to do that and still persist in the use of compulsory arbitration for all of the reasons that have already been spelled out by my leader and that I alluded to earlier. If it has compulsory arbitration in this kind of a situation, it will be recognized that this is down the road, not too far down the road, not only in negotiations that are taking place in many other places across the Province of Ontario between school boards and teachers, but in general collective bargaining across the province. In short, what the government is going to do is to erode the principles of free collective bargaining.

The Premier said that it was time for the New Democratic Party to stand up and be counted. We are going to stand up and be counted. We are going to vote against second reading of this bill because we don't think that it is necessary to have back-to-work legislation, if one wants to use that termi-

nology, accompanied with compulsory arbitration.

We have accepted the back-to-work move because we feel that the schools must be open. We feel, along with the minister and everybody else, that we can't continue to set this aside when the interests and the prospects and the concerns of parents and those 140,000 students are at stake. We have met that in our reasoned amendment and we're going to stand up and be counted on it and we invite the government members not to try to have it both ways themselves.

It's easy for the Premier to indulge in rhetoric and say to the NDP, "Don't have it both ways." Let me say to the government it can't have it both ways; it can't go around preaching that it is really in favour of free collective bargaining when it has a means by which it can restore and establish the operation of free collective bargaining, and instead it is determined to use compulsory arbitration.

Let me just say a brief word if I might to my legislative colleagues in the Liberal Party. They indicated that they want the schools open.

**Mr. Bullbrook:** Should I get Bob Nixon back?

**Mr. MacDonald:** Well, I would hope so. You indicated that you wanted the schools open. We agree. The reasoned amendment in its first consideration will open the schools. You said that you wanted equity in the agreement. Do you think you are going to get equity by sending it out to an arbitrator when he hasn't even got the obligation to start from a minimum level of the last board offer? Do you think that kind of uncertainty, that sense among all the teachers of what's been the purpose of this whole exercise is going to create the kind of atmosphere that will restore a healthy operation to the educational system? I don't see how you feel it can. Therefore, it seems to me the reasoned amendment is meeting the points. You are going to open the schools, you are going to send the parties back to negotiation, as indeed they are now in a process of negotiation, at least the board chairmen—

**Mr. Speaker:** Oder please, will the hon. member address his remarks through the Chair rather than at other particular members?

**Mr. Bullbrook:** I thought he was romancing me for a while.

**Mr. MacDonald:** Do you feel better over there?



I always assumed that any remarks that I was addressing to anybody in this House were going through the Chair. I'll have to speak to the Speaker sometime, to assure him that that's the case all the time, whether he recognizes it or not.

**Mr. Renwick:** Imagine being derailed by a colleague.

**Mr. MacDonald:** Yes, I invite the Liberal Party to reconsider its position and support the reasoned amendment, because I suggest to them, Mr. Speaker, through you, that all of the objectives that they have enunciated are going to be met. The schools will be opened but they will be opened with a greater assurance of equity. I would like to believe that the Liberal Party also wants to have the free collective bargaining process protected, not eroded.

**Mr. Bullbrook:** I thought the right to strike was part of the free collective bargaining process.

**Mr. MacDonald:** That can be done. Since the intransigence in the latter stages seem to be primarily on the board's side, where the board said that there could not be another single change after the vote taken by the teachers about a week ago, and now they are considering some of those changes, I invite the Liberal Party to support the reasoned amendment so that we can let the free collective bargaining process go on.

In short, we will achieve the two paramount objectives of the bill as enunciated by the minister and of our reasoned amendment; namely, that we'll get the schools back into operation, and we'll do it with equity, but we're going to do it by making certain that we protect some of the principles that we pay lip service to at least, sometimes in the Province of Ontario.

**Mr. Ferris:** Mr. Speaker, I would like to address a few comments to the House on this subject. I'll speak in support of the legislation and will also speak in opposition to the amendment that has been offered by the NDP.

We are here, and all of us are involved in what is undoubtedly a very hard decision to make. In my own case, I know that less than eight months ago, as chairman of a large urban board, I spoke in favour—and would continue to do so—of the right of teachers to strike. I believe in it. I think we recognized at the point in time when we were deliberating—from our point of view—the problems that could exist in Bill 100 and the situa-

tions that could develop. We knew that, sooner or later, in all likelihood this situation would arise and the Legislature would probably have to deliberate this kind of question.

In the Act, the part that gave us some confidence that it would really still protect the one part of the system that is important to us, namely the students, was that the commission had the authority to make these kinds of suggestions to the government, through the Lieutenant Governor, and that they could be acted upon. I don't think any of us would disagree that there is only one reason why we are here today and that is to bring some kind of order back into the careers and programmes that the 140,000 students in Metro Toronto embarked upon when they began this school year. If we're convinced that the continued delays in this process will cause irreparable damage, then I think that we would be less than responsible if we did not vote to send them back.

I've had discussions with a great many people in the Metro area, as well as some from outside, as to what effect this period of eight weeks has had on the ability to continue these programmes. I find none that would disagree that it has already reached what must be a terminal point. The arguments have been presented to the ERC, and nobody there took the view that we were not placing the students' programmes in jeopardy.

The general thoughts are that if we act quickly at this point in time it is possible—through the proper utilization of the remaining period—that they can complete a full year's programme.

But that would need, and I would hope receive, a very high degree of co-operation and a maximum effort at all levels—the trustees, the teachers, the administrators, the students; and the Minister of Education (Mr. Wells), if he should be called on in any manner. Everyone must work, hopefully in a very positive manner, to accomplish these things. It is a large period of time which must be made up. In my mind, unquestionably, if it is delayed any further this will not be possible.

I have a few thoughts about the negotiation process, because we believe in the negotiation process and in Bill 100. We have been negotiating this agreement for just under a year. I believe, in a matter of a day or two, we will mark the first anniversary of discussions on this contract. The introduction of Bill 100 obviously put some delays into this while people became familiar with the bill, but all of the steps that were outlined and were put in to guide the path of sane nego-



tations have been met. We have gone through, as the Leader of the Opposition (Mr. Lewis) has said, numerous outside interventions at various levels—from mediators and arbitrators—and none of these has worked. [12:00]

We must also assess the delays resulting from the intervention of the Anti-Inflation Board, with its opinion on the offer that was suggested. There is no question that this had a very detrimental effect on the negotiating process. But having some thoughts about the negotiating process and having been involved where outside intervention came in, I think we have to reach a point where we must make a decision as to whether we will make real progress. I don't think that that is possible in a very short period of time, so that I have to weigh the judgement that any delays of a significant nature once again will affect the students and I then must support this kind of legislation.

I would not criticize either party to the negotiations, either the trustees or the teachers. I am sure there are problems that have existed on both sides. I think it is fair though that a certain degree of criticism should be addressed to the Minister of Education and the Premier (Mr. Davis), and through them to the ERC. I believe, as has been stated before that there is great power in the high office of Premier of this province and in the Minister of Education.

I believe that Bill 100, in this case and perhaps in cases that will follow, has some political value. It provides a shield, if you will, so that the Minister of Education can stand in this Legislature and say, "I can't get involved in that because the ERC is an independent body." I suggest that if you look at the staff of it, Mr. Speaker, it's not too independent. But the Education Relations Commission has, if anything, to be criticized on its inactivity in the early stages especially. The minister told us shortly after these strikes started that the ERC would be holding public hearings; I think the date when that statement was made was Nov. 24. I suggest that leaving it to Jan. 9 was not very expedient and did nothing to help the whole process.

The problem that arises is that there were things inherent in Bill 100 that we recognized and will have to come to grips with later, but now is not the time to do this. In Ontario, there are other strikes which we hope will not have to be settled by this same process of legislation.

**An hon. member:** They will be.

**Mr. Ferris:** But, I am sure if you take a realistic look we will in all likelihood be back here to take the same action in some other jurisdiction.

**Mr. Foulds:** I will be looking forward to your ensuring that.

**Mr. Ferris:** Finally, I would close simply by saying that we understand the problems of the students. If we are, in fact, going to take the responsibility for the education of these children that we are charged with, I think there is no choice but to legislate them back at this point in time.

**Mr. Grossman:** Mr. Speaker, I rise as one of those Toronto members who has been suffering through very many phone calls for weeks now. It hasn't been easy for us to accept those phone calls, particularly those very many calls from frustrated parents, who suggest in some cases, as do those on the other side of the House, that the Minister of Education has not played an active enough role and has not played that sort of role which I suppose the public somehow remembers from Mr. Mackasey. Of course, the clear distinction in the two situations very often escapes the frustrated parent in that our Minister of Education of course was not a party to those negotiations.

**Mr. Wildman:** He should have been.

**Mr. Grossman:** That's exactly the point that the opposition has been making. They keep saying that he should have been. And yet the Leader of the Opposition has made very clear the fact that Bill 100 has been followed through all of its processes; he has acknowledged that the Minister of Education got the fact-finder working appropriately, got Mr. Hartt involved at a very early stage, and has seen to it that the process worked itself through.

They have been standing through the first session of this Legislature and pleading day after day for the Minister of Education or the Premier to get involved somehow—some magical, mythical way—in those negotiations. But if we had ended up back here today in any event, as we almost certainly would have, can you imagine the screaming over there? Can you imagine the Leader of the Opposition standing up and saying—as only he can say—"For goodness sake, when are you Tories going to learn the lessons about free labour negotiations? When are you Tories going to learn that if you had just stayed out this wouldn't have happened?"



**Mr. Mackenzie:** It is called collective bargaining.

**Mr. Speaker:** Order, please.

**Mr. Grossman:** He would be standing up and instead of saying today, as he is able to say, "If you had just intervened at the appropriate psychological time, it would have been settled"—he would instead be standing up here today and saying: "Why did you intervene at that inappropriate, psychological time when they were so close to settlement?"

He has told us several times in his remarks today—

**Mr. Renwick:** Don't waste the time of the House on this idle speculation on your part.

**Mr. Speaker:** Order, please.

**Mr. Eaton:** He is right on. That's the way you play it all the time.

**Mr. Grossman:** That's the way it is. Whatever happens it has got to be the Minister of Education's fault.

**Mr. Renwick:** Debate the principle of the bill. If he wants to debate the principle of the bill, debate the principle of the bill; don't speculate.

**Mr. Speaker:** Order, please.

**Mr. Grossman:** If he got in—

**Mr. Speaker:** Order, please. The hon. member will continue.

**Mr. Renwick:** Don't engage in fantasies.

**Mr. Riddell:** Have we hit one of your nerve ends?

**Mr. Eaton:** Right on.

**Mr. Grossman:** So I want to say this: As one of those who has had a difficult time explaining the workings of a complicated bill, and the negotiations between two parties, I have had no hesitancy in saying to my many callers that this Minister of Education has stuck to the principle of Bill 100, and right through to this very moment has stuck to every principle of the free, collective bargaining system—

**Mr. Makarchuk:** He is stuck, period.

**Mr. Grossman:** —and as Bill 100 was set up to allow to operate.

**Mr. Wildman:** You believe that Bill 100 ends with arbitration.

**Mr. Grossman:** Our friends opposite go on to say, "Why appoint an arbitrator? He has no power at all. It has got to go to Ottawa and Pepin"—who is their new straw villain in the piece; and they try to associate him with us. "Why appoint an arbitrator"—

Interjections.

**Mr. Grossman:** It's a tough morning for them. Barrett had a tough time, too.

**Mr. Cassidy:** You signed the agreement. You associated yourselves.

**Mr. Renwick:** This is the agreement.

**Mr. Speaker:** Order, please.

**Mr. Makarchuk:** Crawled into bed with them.

**Mr. Speaker:** The hon. member has the floor.

**Mr. Grossman:** They suggest that the arbitrator has no power at all.

**Mr. Eaton:** You can tell when you are getting to them.

**Mr. Grossman:** Why does he have no power? They go on to say that he has no power because it has to go to Ottawa; it has to go to Pepin—therefore the arbitrator has no power. There is nothing up in Ottawa now on behalf of the teachers and the board—there is no settlement; there is no contract for approval.

**Mr. Foulds:** There is nothing up in Ottawa, that is true.

**Mr. Grossman:** And if this legislation before us today results in a proposed settlement—an arbitrated settlement to go to that board—then we are a heck of a lot closer to solving the problem than we are without the arbitrator.

The opposition would say: "Go ahead, send them back"—but then just let them go and sit in a room from now until forever.

**Mr. Deans:** No; meet with them.

**Mr. Grossman:** That is no power at all. What is power is saying to an arbitrator: "Here it is; we are giving you 30 days. And, of course, like everyone else in this country, everyone else in this province"—

**Mr. Martel:** You let Ottawa prove it.

**Mr. Grossman:** —"of course you are going to have to go to Ottawa; but that is not a new rule for you."

**Mr. Wildman:** Oh, come on.

**Mr. Grossman:** That is not a new rule for Bill 100.

**Mr. Cassidy:** You can try to outlaw strikes. Is that what you favour?

**Mr. Grossman:** What we are saying clearly is that when the opposition says—

**Mr. Speaker:** Order, please. The hon. member has the floor.

**Mr. Grossman:** —when the opposition says the arbitrator has no power, that, to use the words of the Leader of the Opposition (Mr. Lewis), is what is “true falderal”. That is how we are going to get to a final settlement. They may not like the way we get there—through arbitration—but don’t suggest that that there is no power at all for the arbitrator.

I listened to the member for York South (Mr. MacDonald) when he said, “If you go for compulsory arbitration you are eroding a basic principle.” He said, “You are eroding the principles of collective bargaining.”

It is funny how we are only eroding principles on certain matters sensitive to the opposition; but when it comes—

**Mr. Deans:** That is nonsense.

**Mr. Grossman:** —to things as mentioned by the member for Ottawa Centre—

**Mr. Foulds:** That is what Cassidy is, yes.

**Mr. Grossman:** When his incredible positions on the Landlord and Tenant Act amendments and the Rent Review Act were before us, that wasn’t eroding any basic principles. No, that wasn’t eroding any principles, but today, because in one—

**Mr. Cassidy:** That was advancing principle as a matter of a fact, and you took half of those that we proposed.

**Mr. Grossman:** —drastic, serious set of circumstances when we have to get a settlement—

**Mr. Speaker:** Order, please. I wonder if the hon. member would return to the principle of this bill.

**Mr. Grossman:** Very good.

**Mr. Makarchuk:** He hasn’t started. How can he return?

**Mr. Grossman:** Finally, the principle has been referred to by members of the opposition as being one which fails and their amendment deals with setting some base for the

arbitrator to deal with. We know our friends in the opposition have been paying closer attention to what’s been happening than for them to come here and suggest that the arbitrator doesn’t know what’s happening and that there is no place for him to start. It’s a fraud on the public for the opposition to come here and say we here have to establish a base for the arbitrator to go to work. There is a clear base. Everyone knows the latest two positions. Everyone knows the last offer. That’s a base, and any arbitrator worth the money we are going to pay him and he is going to earn is clearly going to know the parameters within which he is going to have to reach an arbitrated, sensible conclusion.

**Mr. Cassidy:** Fine. Put the parameters in the bill.

**Mr. Deans:** Don’t be ridiculous.

**Mr. Grossman:** So the amendment is obviously hiding behind a suggestion that the arbitrator doesn’t know what’s been happening and he needs some sort of base to work on in order to do their usual two-way street double talk both ways. Let’s be winners on both sides of this dispute.

**Mr. Cassidy:** What is significant is that you left the parameters out this time.

**Mr. Grossman:** That’s why the amendment is an expected one. The legislation is a reasonable piece of legislation. It’s simple, it allows the parties to reach a settlement, arbitrated albeit yes, 30 days and away you go like everyone else to Ottawa, but to suggest that the amendment proposed by the opposition would assist this procedure is fraudulent and I am happy to say that our minister, consistent with the way he has handled these negotiations, is allowing a resolution to the dispute which will not have any deleterious effects on the schools.

I really can’t sit down without mentioning the fact that there has been some suggestion, both by individual teachers and parents, and by the press I suppose, that there will be less dedication in the classrooms as a result of this legislation and as a result of the strike. I have always rejected that, even to those teachers who have threatened or suggested there is nothing we can now do to avoid that loss of dedication. I think that’s inaccurate. I have had too long and close an association with too many teachers to anticipate it being within them to do that. It won’t happen. I am confident that when they return they will get caught up in that atmosphere. Well, I am fairly sure—whichever teacher blurted out from the gallery, thanks for that assurance.



Notwithstanding that attitude, I am sure that when they return to the classrooms, when the atmosphere of catching up has caught them, they will have that dedication which I experienced when I went through the system, which I know has been the case in the system right up until now. The teachers suddenly aren't villains, suddenly aren't people who don't care about the children. I know that's not the case and, therefore, I am sure that notwithstanding this legislation and notwithstanding what's happened, our educational system, as acknowledged through the election campaign by the opposition, will continue to be one of the finest in North America.

[12:15]

**Mr. Speaker:** The hon. member for Wentworth.

**Mr. Deans:** Thank you, Mr. Speaker. I have made a lot of speeches in this House—

**An hon. member:** Too many.

**Mr. Deans:** Some might even say too many.

**Mr. Foulds:** Never, ever.

**Mr. Deans:** I rise right now wishing that there was a way that I could convince the members of the House to listen with a reasonably open mind to what's being said by everyone, at least to those things that relate directly to the principle of the bill, because I think that the government has arrived at one of the ways of resolving this matter, the dispute in Metropolitan Toronto. I don't think though that that is necessarily the only way. I obviously don't think that the decision they made is the best way.

I think the Legislature has an obligation, all of the members of the Legislature have an obligation, to look at the solution proposed by the government and to determine, first of all, whether it does what we all think should be done, and secondly, whether it does it in the best possible way.

That's what we did last night. After we received the legislation we sat down and we decided, first of all, whether the legislative proposal of the minister did in fact bring about the desired result as far as the schools and the children and the parents were concerned. We then decided whether or not that was the only way to do it; and then whether or not that was the best way to do it.

Quite obviously the way that the government has proposed will do that. It will open the schools on Monday; the children will begin again to receive a formal education in the high schools in Metropolitan Toronto, so

that it meets that criterion. And quite obviously it will resolve the dispute between the teachers and the boards, so it meets that criterion. But will it resolve the dispute in the best possible way? We happen to think that it doesn't meet that criterion.

We agree that the schools have to reopen. We agree that there has to be a way to resolve the dispute. What we agonized over and what we hope we have come up with is a solution that will somehow or other meet the various criteria and at the same time preserve the integrity both of the collective bargaining system in Bill 100 and of the teachers and the boards, not only at this point but for future negotiations, because there's much more at stake than just resolving this dispute.

We read the preamble to the bill and we decided that we could quite easily agree that it stated quite accurately what had taken place and what had to be done. We read the bill itself. We said it's too simplistic; that this is one solution but we don't think that that's necessarily the best one. Why did we think it wasn't necessarily the best one? Let me tell you, Mr. Speaker.

To begin with, we felt that on balance this arbitration that the government is setting up is unlike any other arbitration that it has set up in the Province of Ontario by way of legislation. It is setting up a judge to sit in judgement on the proposals of the parties, but one who will not have the final say in the decision as to whether or not it is compulsory or otherwise. So in fact whatever this arbitrator decides really will make little difference to the final settlement. We thought it would be wrong then to impose that kind of responsibility on an individual, to ask an individual to make those kinds of choices in the face of the circumstances that surround him.

We realize the collective bargaining process is a difficult process. We realize it sometimes takes years for the parties involved to build the expertise, to develop the various mechanisms that are necessary in order to bring about settlements in every case. But we have faith—faith in the elected board members and faith in the teachers—that given the proper circumstances, given the right atmosphere, that they could yet resolve this dispute.

The faith that we have is shared by a number of other people. It's not a blind faith. We're not isolated from the remainder of society in Metro or anywhere else in expressing that faith. The disputes commission members themselves expressed faith that there could be a negotiated settlement. Their



concern wasn't that it couldn't be negotiated, their concern was that it might not be able to be negotiated quickly enough to save further deterioration in the educational system. That is what they said. I quote from the minister's own statement, in which he is quoting the commission. He read:

Recent developments in the dispute indicate to us that the parties will not likely achieve such a settlement in the near future. While we do not rule out the possibility that a resumption of negotiations might produce a settlement at some future date . . .

That was the finding of the Education Relations Commission. They thought that, given more time, there was a likelihood of a settlement through the normal collective bargaining process.

We spoke to the teacher representatives—and I am sure I am not letting out any confidences—and they said that they thought, given more time, it was entirely possible they could arrive at a settlement; they even went so far as to say that they felt they were not really very far apart and that, given the opportunity, it would be possible for them to find solutions to the outstanding items and that a settlement would come about through the natural processes of the collective bargaining structure.

The chairman of the negotiating committee for the school boards said this morning that, notwithstanding any statements that he had made previously, he felt in fact there was the possibility that the parties could meet again and that they could come to a settlement across the bargaining table. We know this feeling is shared by a number of the chairmen representing a number of the boards that make up the Metro school system.

We are not talking from a position in isolation to the views being expressed by all of the people who are directly involved. The commission says that, given time, there can be a settlement. The board chairmen say that, given time, there can be a settlement. The teacher negotiators say that, given time, there can be a settlement. The only drawback now is, how can we, as a Legislature, then provide that time?

We have come to the conclusion, as elected members, that the schools must open. We have come to the conclusion, as elected members, that it is possible to arrive at a settlement. We have come to the conclusion that in order to ensure fairness, that the teachers can go back knowing full well that they will be dealt with fairly and equitably,

that if they are asked to return to work or, for this matter, told to return to work, that they should know at least in part what the conditions are that will surround the collective bargaining that will take place, what the likelihood is and in what ballpark the settlement might be reached. That is what we attempted to do.

We said, "Okay, the school system needs teachers in the classrooms, the children's education is in jeopardy, so we will say to the teachers, 'Return to work.'" But in return for that, we are saying that we, as a Legislature, having now imposed ourselves upon them in what might be considered the public interest, have an obligation to look seriously at what kind of guarantees we give them, that that return to work will not result in them losing economically that which they had already negotiated up to.

The boards have agreed that the offer of the 20th is fair, and so we are not asking the boards to pay more than they were prepared to pay. The teachers have said, "We're close to a settlement." So we said, "Okay, in that period during negotiation, the period we're now in, the settlement offered by the board should be put in as an interim measure, the negotiations concluded and a final settlement arrived at."

I say, in all fairness, that must be better than to come down with a heavy hand and to impose arbitration now and to be faced with the prospect of doing the same thing, board after board after board, across the province. Surely the message that goes out from Queen's Park today, to teachers and boards alike, has to be that we, the Legislature, are not prepared to meet weekly to solve your disputes; that we, the Legislature, are saying to you, the boards, duly elected by your own electorate, and the teachers as their employees, that you must sit down together and find solutions to the impasses that confront you, and don't expect us, also elected, answering to the same people in the Province of Ontario, to find a solution for you in each of these cases.

I think if we arbitrate them back, if we impose arbitration, then in many of the boards across this province—certainly not in all the boards but in many of the boards across this province—the collective bargaining process will grind to a halt. There will then be a sense among certain people whom I could name but won't, that there will be no further need for them to try to find solutions because this Legislature will do it for them. That's wrong and I want that understood. That must be wrong. We have to make it clear that that's



wrong. As my colleague, my friend in the Liberal Party, the education critic—excuse me, I don't know where he is from?

**Mr. Riddell:** London South.

**Mr. Deans:** Thank you, from London South. He says that we will undoubtedly be back to solve these other disputes. I don't want to come back to solve these other disputes. I don't want to set the ground rules for the resolution of those disputes.

I want to say this, it seems to us, having given a lot of thought to it and having worried about it for some days—not just yesterday but the days leading up to what we could see was inevitably going to happen—we are of the opinion that, first of all, the proposal that we have made would gain acceptance by the vast majority of teachers. Secondly, the proposal we have made is in keeping with the indications currently being expressed by the members of the negotiating committee for the boards in Metropolitan Toronto that a settlement could be reached. Thirdly, the concern of the teachers and the students that the educational system be once again in operation and that they not be jeopardized further is being met by the proposal that we make.

So what we're saying is that, of course, there are a number of options and, of course, the government has opted for the easiest option, but we tend to think that easiest is not always the best, and we think in this instance that what we're proposing—a little different from what we've normally done, a little different from what we've considered before in the Legislature—makes more sense in the long run for teacher-board negotiations than does the intrusion of this Legislature by way of compulsory arbitration.

I want to concede to the member for Sarnia (Mr. Bullbrook) that, quite obviously, asking or telling the teachers to return to work is abridging the normal principles of collective bargaining, but I also want to suggest to the member for Sarnia and to the other members of the House that there are times in disputes where the public interest obviously has to take precedence. We are prepared to take that one step to ensure that the public interest be met while trying to guarantee, on the other hand, that collective bargaining will be allowed to continue and that we will do no further damage to the content of Bill 100 or to the future of Bill 100 or the way in which collective bargaining can be carried out.

**Mr. Bullbrook:** Collective bargaining is effectively finished in the Province of Ontario with the signing of that agreement.

**Mr. Deans:** Since that aside is put in, or that interjection is offered, I want to say that I regret most sincerely that the AIB is involved.

**Mrs. Campbell:** That's not enough.

**Mr. Deans:** I would really like—well, I'm not going to play games because, obviously, politically we could play all kinds of games. I don't want to do that. I'm honestly trying to get the members to listen to me; okay, really trying.

**Mr. Bullbrook:** We have been listening.  
[12:30]

**Mr. Deans:** I agree that it's unfortunate that the AIB is involved. It's unfortunate that the agreement that was signed two days ago was signed before we met today, because we might have been able to influence the signing of that agreement in this debate.

Unfortunately, though, it is signed and the government has stated clearly that it is a matter of principle to them that they refer everything to Ottawa. We don't believe it is possible to change that principle here today, but we do think it possible to amend this legislation to make it more fair. That's the position we take.

**Mr. MacDonald:** Everything on wages but not prices.

**Mr. Deans:** With regard to the comments of the member for St. Andrew-St. Patrick (Mr. Grossman)—

**Mr. Martel:** Now departed.

**Mr. Deans:** But not far enough.

**Mr. Martel:** No.

**Mr. Deans:** —I want to say two or three things. First of all, in all fairness to him I don't think he understands the collective bargaining process at all and knows very little about the way arbitration works. The arbitrator, of course, is entitled only to judge on those matters placed before him by the parties. He can't take into consideration things outside; he has to consider only what is before him. So therefore he can't be going in already knowing how he is going to deal with it, and if he or she is doing that, he or she is not going to be arbitrating properly.

Beyond that, I want to say about the phone calls the member is receiving, it's my judgement from speaking to members—and everyone makes their own judgments in these things and this includes speaking to the minister—that there has not been a great hue and

cry in Metropolitan Toronto with regard to this strike. There is a sense among the public that something has to be done and we're responding to that. But if it were simply on the matter of response to the hue and cry of the public, it's not as great as the hue and cry has been in many other instances. It really isn't.

I want to tell you, Mr. Speaker, that between 5 o'clock and 6 o'clock during the transit strike and at 6 o'clock and 7 o'clock during the transit strike in Metropolitan Toronto there were far more people who were expressing a great deal more disagreement and sense of upset than are currently expressing it in this instance. I just make that as an aside.

The minister himself said, as I recall, of 252 phone calls—it may have been 256 phone calls that he received; that was the heaviest volume as I recall on one day—but on the heaviest day of all it was 52 per cent in favour of legislation, 48 per cent opposed. That was in one day. So in fairness you've got to say, Mr. Speaker, that there was no great pressure from outside in terms of the normal pressures that legislators expect to have imposed upon them.

We believe that whatever the resolution of this strike is it must not only be fair but it must be viewed by the parties as being fair. The teachers and the boards have to appreciate that whatever the resolution is that it was the result of their activities; that they'll be able to live much more readily over the years with a settlement that they arrive at between themselves than they will be able to live with a settlement imposed from outside.

I put to the government that the position that they have put forward is so traditional in scope that it really doesn't begin to address the actual problem that exists. The solution we put forward might fail, but then so might the government's. The government's solution though, if it fails, fails arbitrarily. Our solution, if it fails, fails as the result of the failure of the parties themselves to resolve the dispute.

We're putting the onus where it rightfully belongs, on the shoulders of the parties involved. We're saying to the school boards: "You were elected, as we are elected, to fulfil your responsibilities." If the government is going to arbitrate—if the government is going to impose itself in that way—then it can't simply set up the arbitration and then back off. It can't do that. It can't say: "There's the arbitration. That will be the settlement," and then withdraw itself from the battle and allow it then to continue as if it had solved it.

All it solves by this is getting the schools opened. That's all it solves.

We would have solved the same thing. We would have arrived at exactly the same result with what we're asking the government to consider as an amendment. There is no question in my mind at least that if the government is going to say to those people: "Go back to work and we'll arbitrate a decision," then the government must go one step further.

The government must go one step further and say that since they have decided to move into the dispute and to arbitrate the final points in the dispute, then they are prepared to stand behind the decision of the arbitrator.

If the government is going to arbitrate it, then it has to be prepared to stand behind the decision of the arbitrator. It is going to appoint him or her; it is going to set up that person to make the decision, I presume. Having chosen that person, this government then must stand up today and say, "The person chosen by us to find a settlement has the full support of this government and whatever settlement that person finds will be supported by the government." That is the ultimate step. Is the government prepared to take that step?

**Mrs. Campbell:** Of course not.

**Mr. Deans:** The government would be living up to its political responsibilities all the way—

**Mr. Martel:** The government is appointing the arbitrator.

**Mr. Deans:** —by saying, "Not only are we prepared to thrust ourselves into the dispute, belatedly though it may be, but we are prepared to stand behind the decisions made by the person whom we appoint."

**Mr. Martel:** Otherwise, don't appoint an arbitrator.

**Mr. Deans:** Otherwise, allow them to solve it themselves.

The member for St. Andrew-St. Patrick (Mr. Grossman) talked about his faith in teachers. I want to say to him, in his absence—I hope he is able to read; he certainly doesn't comprehend—

**An hon. member:** Oh, oh.

**Mr. Deans:** It helps; it passes the time, Jim.

The one thing I would say to him is that he doesn't show much faith in the teachers by the actions he is prepared to support. We have said for years that we thought that the teachers were capable—in fact, we had to have



faith in the teachers since we trusted them with so much of what was going to happen in this country ultimately, and that therefore the teachers did have the capacity to be able to resolve matters that affected their day-to-day lives.

The government is not showing that kind of faith now by taking this step. But it can show that kind of faith if it is prepared to adopt the position that we have put forward. We think it is valid. We think it not only can work but we think it will work. We think it meets every single one of the criteria that the government set out in the preamble to its bill. We think it shows the kind of faith that we have in the capacity of the parties to resolve the dispute. It shows that we believe them when they say that they can find a settlement, given time; it opens the schools in order that the children's education will be met; and it guarantees that the teachers, when they go back into the classroom, will go in, if not having won, certainly not with a feeling of having lost.

**Mr. Sweeney:** Mr. Speaker, the leading spokesmen of all three parties in this House have now made it fairly clear where they stand on this legislation. There doesn't seem to be any doubt that all three parties, in one form or another, will support at least that part of the legislation which puts the teachers back in the classrooms next Monday.

However, let us not forget that that very act by itself is fraught with a certain amount of perilous implications. Let us realize that we are setting a precedent by doing this. We are setting a precedent at this point in time, knowing full well that very shortly in other places in this province we may have to deal with similar situations. We know right now, for example, that in Kirkland Lake a strike vote has already been taken. We know that in Peel county, one week from tomorrow, a strike vote will be taken. We know that farther along the line, one of the largest separate school boards of the province, in Hamilton, more than likely will be facing a strike vote within the next two or three weeks. We know that Sault Ste. Marie shortly will be facing a strike vote.

The point I am trying to make is that this particular piece of legislation, dealing with this particular strike in this locality, Metro Toronto, cannot be considered in isolation. It is setting a precedent. Let us be very sure that we realize that and that we accept the implications and the consequences of the vote and the decisions which we make here today.

Secondly, Mr. Speaker, contrary to what has just been said, the number of phone calls and letters coming in from the public to members of this caucus—and I understand to members of the other two caucuses—shows a very high degree of public hostility, to say the least, in this whole matter. People seem to have reached an emotional pitch. The public seems to have reached a pitch that is almost unreasonable in this matter. Unfortunately, this one group of people at this particular point in time on this one issue has become the lightning rod, if you will, for this public hostility, this public unrest and this public frustration. That may be unfair; it may be unfortunate—but that is simply the way it is. The public is simply fed up. The kind of remarks that we are hearing—and, as I say, I understand that members of the other two caucuses are also hearing them—include: "Do not pass this legislation." The public opinion is very strong out there; let us also be aware of that.

Finally, Mr. Speaker, both sides of this particular dispute—both sides, let me please emphasize that—

**Ms. Gigantes:** Did you say, "Do not pass it"?

**Mr. Sweeney:** —have accused the leaders of the other sides of irresponsibility. On both sides they have said to their particular membership, "Why can't you do something about those leaders?" If we step in at this time—and if I may use the colloquialism, the cliché—and get them off the hook, then that kind of feeling will continue ad infinitum.

I mention these kinds of points—not to suggest that I or members of my caucus are going to vote against this legislation—but just so that we can be sure in our own minds and just so that we can assure the public at large that we are equally conscious of the perils that exist in acting in this way and in passing this kind of legislation.

**Ms. Gigantes:** You are doing the popular thing?

**Mr. Sweeney:** We will show that we did not do it unthinkingly or unknowingly.

**Mr. Wildman:** Are you going to vote for it?

**Mr. Sweeney:** On the other hand, Mr. Speaker, let us look at the situation as it exists—the reasons why we must pass this legislation. We know 140,000 students in this city alone have been or will be, as of tomorrow, 37 school instructional days away from their programmes.



We know that on the basis of what the students themselves tell us, what their teachers tell us, what the directors of education tell us, that we have reached the point of no return—that something must be done in the interest of these students. More particularly, Mr. Speaker, there is a small group of those students—small, but in excess of 10,000—who are on a semester programme in this community's school system and who will have, as of tomorrow, missed almost 40 per cent of the programme. That 37 days is very misleading, but it does represent 47 per cent of the amount of time that would have been devoted toward the courses of those students on a semester programme. At this point in time, that 47 per cent is just about irretrievable.

For most of the other students in the system, it can be retrieved. But for that group on a semester programme I am personally not sure—based upon what people have told me, based upon my own personal experience.

In respect to the students and their parents, we must also realize that there is a cost factor involved in what has happened and what will continue to happen if we do not legislate at this time.

[12:45]

A number of these students have been compelled to enrol in private schools. A number of these students have gone to other jurisdictions to continue their education. A number of these students have had to go out and find work and probably will not return to classes even when the legislation is passed, and a whole year of their lives, productively in one sense, — I realize there are many ways of looking at it, but in that one sense at least they are paying a heavy cost, and we in this Legislature who are responsible for providing education to every student in this province have got to be conscious of that cost.

The other reason why we must pass this legislation at this time is because of the morale of the teachers in this province, and I use the word "province" since I am not talking just about Metro Toronto. It is particularly poignant to those teachers in this municipality, but what is happening has spread like a creeping cancer across the whole province. I have been in six different large municipalities in the last three or four weeks; I have made it my business to speak to teachers, and they feel that they too are tarnished by the same brush that is being applied across this municipality with respect to the public attitude toward teachers.

That must stop. An awful lot of damage has already been done, but surely the time

has come to put an end to it. It is going to take a long time to retrieve that damage, but we cannot let it go on any longer and we must do whatever we possibly can to retrieve it. Finally, a third reason why we must pass this legislation refers back to an earlier remark I made and that is the public hostility that presently exists. The very fact that that hostility does exist means that an end must be put to it in some way. The longer we let this drag out, the deeper and more intransigent it is going to become. The sooner we can relieve it, the sooner it can be resolved and the sooner that we can return to some form of normalcy.

I would like to speak very briefly to the NDP amendment. It is unfortunate that we did not have a chance yesterday to review this amendment with the amount of time and the depth and the study I feel it deserves. Therefore, I must admit that my comments are based upon a cursory, short reading of the amendment and an understanding of it which may not be as deep as it should be, but nevertheless that's what we have got to deal with.

I see two problems in the amendment. The first one is to return the teachers and students to the classroom and then return to the negotiation process. We have spoken to a number of people. The feeling that we get, which may be different from our NDP colleagues, but the very strong, definite feeling we get is that negotiation simply will not work; it simply will not work. As a matter of fact, as late as last night we spoke to the two highest placed teachers in the negotiation process and they admitted to us that they do not believe it can work, and the simple reason is that the trust between the two sides has been eroded so badly. Coupled with that, one of the dangers we are facing is that when we do get the teachers back in the classroom there is going to be some ill will; there is going to be some bad feeling. I hope it clears up quickly, but it is going to be there.

**Ms. Gigantes:** An arbitrator is going to solve it, eh?

**Mr. Foulds:** It is going to be horrendous. It is going to be destructive.

**Mr. Speaker:** Order, please. Order, please. Order.

**Mr. Sweeney:** If, at the same time, the negotiations which have now been going on for one full year as of tomorrow, I understand; a strike which has been going on for 37 days; negotiations which have had,



initially, a mediator and then a fact-finder and then three mediators and, even as of a week or so ago, a final vote of the teachers saying that there is no way that they can come to a resolution; when the chairman of the board says it cannot be resolved, when the teacher negotiator says it cannot be resolved, my main concern is if we put the teachers back and continue this kind of activity we are simply going to be reopening the old wounds and the wounds are going to bleed and bleed and bleed for months ahead. We can't afford that. We can't afford to do that. Arbitration is not a good way. I am personally opposed to it but, given these two choices, it is the better of the two.

**Mr. Foulds:** So to cure a cut you amputate.

Interjections.

**Mr. Speaker:** Order, please. The hon. member has the floor.

**An hon. member:** You're hitting them where they're soft.

**Mr. Sweeney:** Mr. Speaker, the second aspect that my NDP colleagues have brought up is that when we go to this legislation and make an amendment, if in fact we deal with arbitration, that we start with the last board offer as the floor, if you will. That very fact alone makes a mockery of negotiations.

**Mr. Deans:** Why?

**Mr. Foulds:** Why?

**Mr. Sweeney:** The board has clearly said on several occasions, whether or not we choose to believe them, they have clearly said that is their final offer. That's not their floor. If we go in and say to an arbitrator: "That's what you must start with"; then where can they go? They can only go up beyond that.

**Mr. Wildman:** How many final offers have you had?

**Mr. Foulds:** Your party voted for that in the York county dispute.

**Mr. Speaker:** Order, please.

**Mr. Sweeney:** We are clearly taking the side of one of the combatants in this affair—

**Mr. Foulds:** Your party voted for it in York county when the board said it was their last offer.

Interjection.

**Mr. Sweeney:** —and that is not our job in this Legislature. Our job is to help the two

sides. Our job is not to take sides one way or the other in this affair, and making that kind of stipulation is very directly taking sides.

Interjections.

**Mr. Sweeney:** Finally, may I allude to the involvement of the Anti-Inflation Board in this particular settlement. The point has very clearly been made that the arbitrator who will be selected here will not in fact be able to make a decision. He will only be able to make a recommendation, and that is a key difference. The final decision will be made in Ottawa. Mr. Speaker, we believe today, as we believed when this House prorogued in December, that that is not proper.

**Mr. Shore:** Where was the member for Port Arthur?

**Mr. Sweeney:** If there is one thing wrong with this whole bill, if there is one thing wrong with this whole process, if there is one thing wrong with the way in which the government has been involved in this, it is its abdication of being responsible for the final decision in this matter. Only the people of Ontario, only the elected representatives of the people of Ontario, can decide what portion of our provincial wealth should be devoted to an activity like education. Only we can do that, not the government of Canada. And if this government is at fault in any way it is in this matter and it will pay the price dearly.

**Hon. B. Stephenson:** Mr. Speaker, it is with a certain degree of satisfaction that I learn there is total agreement within this House, that the purpose of this bill is universally accepted. Because I don't think there can be any doubt in the minds of the parents—within the Metropolitan Toronto region at any rate and probably in the minds of parents throughout the entire province—and in the minds of the students who have been so severely affected by this conflict, certainly in the minds of those citizens of Metropolitan Toronto who do not happen to have children in the school system, and it certainly has been confirmed by the report of the Education Relations Commission, that the educational system in this area at this time is in severe jeopardy if this conflict continues any longer. We must, and I'm happy that all members of this House agree, end the conflict immediately.

The methods of ending the conflict, of course, are what are being questioned here at the moment. But it is certainly in the best interests of the students, it certainly would express our concern for the educational sys-

tem of this province, it would most definitely be in the best interests of all Ontario teachers, not simply the teachers in Metropolitan Toronto, if we provided an instantaneous, an emergency, an immediate resolution to this problem.

If I had any real conviction that the negotiation which had been carried out earlier could be prolonged, that the effective function of collective bargaining as attempted for many months in this dispute could in fact be enhanced, could be proceeded with, with any aspiration of success in the foreseeable future, I would most certainly—I would have to as the Minister of Labour—support that direction and that action. But we can have no such assurance. We can have no degree of confidence that in fact the disturbance, the hostility, the wounds, which my hon. colleague across the floor mentioned just a few moments ago, could be healed rapidly enough to provide any—

**Mr. Deans:** They are only bruises.

**Hon. B. Stephenson:** —successful conclusion to the resumption of collective bargaining—

**Mr. Makarchuk:** Have you offered them any assurance?

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Hon. B. Stephenson:** —of traditional collective bargaining in this situation at this time. We must provide a rapid treatment, and the rapid treatment—

**Mr. Deans:** Bruises are painful, not fatal.

**Hon. B. Stephenson:** —which sometimes is painful—

**Mr. Deans:** What is?

**Hon. B. Stephenson:** —the rapid treatment in this case I believe must be arbitration with the development of a rational and sensible recommendation provided by an arbitrator of judgement and wisdom.

**Mr. Deans:** But the board says they can settle and the teachers say they can settle. Why don't you believe them?

**Mr. Speaker:** Order, please. Order.

**Hon. B. Stephenson:** Unfortunately, I gather that Mr. Deans has been listening to other than those—

**Mr. Speaker:** Order, please. Will you refer to the hon. member as the member from his riding?

**Hon. B. Stephenson:** I have heard very directly from some of the people who have been involved in the attempt at successful negotiations, and I believe that these wise negotiators, these wise mediators who have had a great deal of experience, probably know much better than I whether there is a chance of success—

**Mr. Deans:** But they say they can settle.

**Hon. B. Stephenson:** —in the continuation of the negotiations. It is, I gather, their conviction, their judgement, that to attempt to resume negotiations at this time would not only be illogical, it would be futile, and we must, I believe, resolve the problem immediately.

**Mr. Deans:** Whose opinion is that?

**Hon. B. Stephenson:** I think the message which must go out from Queen's Park today to all of the citizens of this province, to the school boards of this province, to the teachers of this province, must be that we have provided from this place a very adequate vehicle for resolution of conflicts and differences between school boards and teachers.

We would anticipate, as we have anticipated in the past, that this vehicle would be used thoughtfully and carefully, ever mindful of the primary responsibility to the educational system, to the educational experience of the students of the province, and to the citizens of this province who provide the funds which support our educational system, and we hope that they will, in fact, in future use it wisely. We think they have attempted to, on this occasion, but it simply has not worked.

I would have to agree with my colleague from York South (Mr. MacDonald) that, in fact, one of the things that has happened as a result of this conflict is that we have pointed up a couple of the weaknesses of Bill 100 which obviously need to be examined and resolved. But we have provided the vehicle, it should be used wisely; but let them be, as well, made very much aware of the fact that if at any time in the function of this vehicle there is a failure, if the future educational experience of our students is put in severe jeopardy, if the entire educational system demonstrates the potential for damage which it does right at this point in time, that this government and this Legislature will act on behalf of those students, that educational system and the citizens of this province, that we will not fail to do so. We shall use each time that method which seems to be most appropriate to that situation.



**Mr. Deans:** And this is it, every time.

**Mr. Martel:** It is the only method you know.

**Mr. Speaker:** Order please, order. Everyone has an opportunity to speak in this debate.

**Hon. B. Stephenson:** I can put it to members that the bill which has been presented by the Minister of Education is that which is most appropriate in this situation at this time—

**Mr. Makarchuk:** You have clobbered them in the head.

**Hon. B. Stephenson:** —and may or may not set a precedent, but must, in fact, be exercised on behalf of the students of Metropolitan Toronto and their educational future.

**Mr. Speaker:** Perhaps in view of the hour the next speaker might move the adjournment of the debate.

**Mr. Mackenzie** moved adjournment of the debate.

Motion agreed to.

The House recessed at 1 p.m.

## APPENDIX

ALPHABETICAL LIST OF MEMBERS OF THE  
LEGISLATURE OF ONTARIO

(125 members)

Second Session of the 30th Parliament

Speaker: Hon. Russell Daniel Rowe

Clerk of the House: Roderick Lewis, QC

Member	Constituency	Party
Angus, I. ....	Fort William .....	NDP
Auld, Hon. J.A.C. ....	Leeds .....	PC
Bain, R. ....	Timiskaming .....	NDP
Belanger, J. A. ....	Prescott and Russell .....	PC
Bennett, Hon. C. ....	Ottawa South .....	PC
Bernier, Hon. L. ....	Kenora .....	PC
Birch, Hon. M. ....	Scarborough East .....	PC
Bounsall, E. J. ....	Windsor-Sandwich .....	NDP
Breaugh, M. ....	Oshawa .....	NDP
Breithaupt, J. R. ....	Kitchener .....	L
Brunelle, Hon. R. ....	Cochrane North .....	PC
Bullbrook, J. E. ....	Sarnia .....	L
Burr, F. A. ....	Windsor-Riverside .....	NDP
Bryden, M. ....	Beaches-Woodbine .....	NDP
Campbell, M. ....	St. George .....	L
Cassidy, M. ....	Ottawa Centre .....	NDP
Conway, S. ....	Renfrew North .....	L
Cunningham, E. ....	Wentworth North .....	L
Davidson, M. ....	Cambridge .....	NDP
Davis, Hon. W. G. ....	Brampton .....	PC
Davison, M. ....	Hamilton Centre .....	NDP
Deans, I. ....	Wentworth .....	NDP
di Santo, O. ....	Downsview .....	NDP
Drea, F. ....	Scarborough Centre .....	PC
Dukszta, J. ....	Parkdale .....	NDP
Eakins, J. ....	Victoria-Haliburton .....	L
Eaton, R. G. ....	Middlesex .....	PC
Edighoffer, H. ....	Perth .....	L
Evans, D. A. ....	Simcoe Centre .....	PC
Ferrier, W. ....	Cochrane South .....	NDP
Ferris, J. P. ....	London South .....	L
Foulds, J. F. ....	Port Arthur .....	NDP
Gaunt, M. ....	Huron-Bruce .....	L
Germa, M. C. ....	Sudbury .....	NDP
Gigantes, E. ....	Carleton East .....	NDP
Givens, P. G. ....	Armourdale .....	L
Godfrey, C. ....	Durham West .....	NDP
Good, E.R. ....	Waterloo North .....	L
Grande, A. ....	Oakwood .....	NDP
Gregory, M. E. C. ....	Mississauga East .....	PC
Grossman, L. ....	St. Andrew-St. Patrick .....	PC
Haggerty, R. ....	Erie .....	L
Hall, R. ....	Lincoln .....	L
Handleman, Hon. S. B. ....	Carleton .....	PC



Member	Constituency	Party
Henderson, Hon. L. C.	Lambton	PC
Hodgson, W.	York North	PC
Irvine, Hon. D. R.	Carleton-Grenville	PC
Johnson, J.	Wellington-Dufferin-Peel	PC
Johnston, R. M.	St. Catharines	PC
Jones, T.	Mississauga North	PC
Kennedy, R. D.	Mississauga South	PC
Kerr, Hon. G. A.	Burlington South	PC
Kerrio, V.	Niagara Falls	L
Lane, J.	Algoma-Manitoulin	PC
Laughren, F.	Nickel Belt	NDP
Lawlor, P. D.	Lakeshore	NDP
Leluk, N.G.	York West	PC
Lewis, S.	Scarborough West	NDP
Lupusella, A.	Dovercourt	NDP
MacBeth, Hon. J. P.	Humber	PC
MacDonald, D. C.	York South	NDP
Mackenzie, R.	Hamilton East	NDP
Maeck, L.	Parry Sound	PC
Makarchuk, M.	Brantford	NDP
Mancini, R.	Essex South	L
Martel, E. W.	Sudbury East	NDP
McCague, G.	Dufferin-Simcoe	PC
McClellan, R.	Bellwoods	NDP
McEwen, J. E.	Frontenac-Addington	L
McKeough, Hon. W. D.	Chatham-Kent	PC
McKessock, R.	Grey	L
McMurtry, Hon. R.	Eglinton	PC
McNeil, R. K.	Elgin	PC
Meen, Hon. A. K.	York East	PC
Miller, Hon. F. S.	Muskoka	PC
Miller, G. I.	Haldimand-Norfolk	L
Moffatt, D.	Durham East	NDP
Morrow, D. H.	Ottawa West	PC
Newman, B.	Windsor-Walkerville	L
Newman, Hon. W.	Durham North	PC
Nixon, R. F.	Brant-Oxford-Norfolk	L
Norton, K.	Kingston and the Islands	PC
O'Neil, H.	Quinte	L
Parrott, Hon. H. C.	Oxford	PC
Peterson, D.	London Centre	L
Philip, E.	Etobicoke	NDP
Reed, J.	Halton-Burlington	L
Reid, T. P.	Rainy River	L
Renwick, J. A.	Riverdale	NDP
Rhodes, Hon. J. R.	Sault Ste. Marie	PC
Riddell, J.	Huron-Middlesex	L
Rollins, C. T.	Hastings-Peterborough	PC
Rowe, Hon. R. D.	Northumberland	PC
Roy, A. J.	Ottawa East	L
Ruston, R. F.	Essex North	L
Samis, G.	Cornwall	NDP
Sandeman, G.	Peterborough	NDP

Member	Constituency	Party
Sargent, E. ....	Grey-Bruce .....	L
Scrivener, Hon. M. ....	St. David .....	PC
Shore, M. ....	London North .....	L
Singer, V. M. ....	Wilson Heights .....	L
Smith, G. E. ....	Simcoe East .....	PC
Smith, Hon. J. R. ....	Hamilton Mountain .....	PC
Smith, R. S. ....	Nipissing .....	L
Smith, S. ....	Hamilton West .....	L
Snow, Hon. J. W. ....	Oakville .....	PC
Spence, J. P. ....	Kent-Elgin .....	L
Stephenson, Hon. B. ....	York Mills .....	PC
Stokes, J. E. ....	Lake Nipigon .....	NDP
Stong, A. ....	York Centre .....	L
Swart, M. ....	Welland .....	NDP
Sweeney, J. ....	Kitchener-Wilmot .....	L
Taylor, Hon. J. A. ....	Prince Edward-Lennox .....	PC
Timbrell, Hon. D. R. ....	Don Mills .....	PC
Villeneuve, O. F. ....	Stormont-Dundas-Glengarry ....	PC
Warner, D. ....	Scarborough-Ellesmere .....	NDP
Welch, Hon. R. ....	Brock .....	PC
Wells, Hon. T. L. ....	Scarborough North .....	PC
Wildman, B. ....	Algoma .....	NDP
Williams, J. ....	Oriole .....	PC
Wiseman, D. J. ....	Lanark .....	PC
Worton, H. ....	Wellington South .....	L
Yakabuski, P. J. ....	Renfrew South .....	PC
Young, F. ....	Yorkview .....	NDP
Ziemba, E. ....	High Park-Swansea .....	NDP



## MEMBERS OF THE EXECUTIVE COUNCIL

Hon W. G. Davis .....	Premier
Hon. R. Welch .....	Minister of Culture and Recreation
Hon. J. A. C. Auld .....	Chairman, Management Board of Cabinet
Hon. R. Brunelle .....	Minister without Portfolio and Chairman of Cabinet
Hon. T. L. Wells .....	Minister of Education
Hon. G. A. Kerr .....	Minister of the Environment
Hon. L. Bernier .....	Minister of Natural Resources
Hon. J. W. Snow .....	Minister of Transportation and Communications
Hon. M. Birch .....	Provincial Secretary for Social Development
Hon. C. Bennett .....	Minister of Industry and Tourism
Hon. W. D. McKeough.....	Treasurer, Minister of Economics and Intergovernmental Affairs
Hon. A. K. Meen .....	Minister of Revenue
Hon. W. Newman .....	Minister of Agriculture and Food
Hon. S. B. Handleman .....	Minister of Consumer and Commercial Relations
Hon. F. S. Miller .....	Minister of Health
Hon. J. R. Rhodes .....	Minister of Housing
Hon. D. R. Irvine .....	Provincial Secretary for Resources Development
Hon. D. R. Timbrell .....	Minister of Energy
Hon. J. P. MacBeth .....	Provincial Secretary for Justice and Solicitor General
Hon. J. R. Smith .....	Minister of Correctional Services
Hon. M. Scrivener .....	Minister of Government Services
Hon. H. C. Parrott .....	Minister of Colleges and Universities
Hon. J. A. Taylor .....	Minister of Community and Social Services
Hon. B. Stephenson .....	Minister of Labour
Hon. R. McMurtry .....	Attorney General
Hon. L. C. Henderson .....	Minister without Portfolio

## PARLIAMENTARY ASSISTANTS

Mr. F. Drea .....	Assistant to the Minister of Consumer and Commercial Relations
Mr. R. G. Eaton .....	Assistant to the Minister of Agriculture and Food
Mr. D. A. Evans .....	Assistant to the Minister of Transportation and Communications
Mr. W. Hodgson .....	Assistant to the Minister without Portfolio and Chairman of Cabinet
Mr. N. G. Leluk .....	Assistant to the Minister of Culture and Recreation
Mr. L. Maeck .....	Assistant to the Minister of Education
Mr. D. J. Wiseman .....	Assistant to the Minister of Health
Mr. P. J. Yakabuski .....	Assistant to the Minister of Natural Resources

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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the 30th Parliament

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Thursday, January 15, 1976  
Afternoon Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue.

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# LEGISLATURE OF ONTARIO

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THURSDAY, JANUARY 15, 1976

The House resumed at 2 p.m.

**Mr. Speaker:** Oral questions.

Does anybody have a question? The hon. member for Durham East.

**Mr. Moffatt:** Mr. Speaker, it makes it very difficult to ask a question with so many people missing on the government side.

**Mr. Nixon:** There are few NDP here.

**Mr. Singer:** Don't stall; just go ahead.

**Mr. Eaton:** Where's the member's leader?

**Mr. Singer:** Stephen has probably left for the day.

Interjections.

**Mr. Speaker:** Order, please. If the hon. member doesn't have a question of any minister here—

Interjections.

**Mr. Speaker:** Order, please. May I suggest that if the hon. member doesn't have a question of a minister—

Interjections.

**Mr. Speaker:** Order, please. There will be someone with a question, I'm sure, if the hon. member who is standing doesn't have one. Does the hon. member have a question?

**Mr. Nixon:** Let's try the Leader of the Opposition. I will bet he has got a question.

**An hon. member:** Hurray!

**Mr. Singer:** Well done!

**Mr. Lewis:** Thank you very much.

**Mr. Speaker:** I recognize the hon. Leader of the Opposition.

## ANTI-INFLATION PROGRAMME

**Mr. Lewis:** I had assumed the provincial Treasurer (Mr. McKeough) might wish to table the document he signed with Ottawa, or make a statement—he indicated that—and I wondered if that is coming.

**Hon. Mr. Welch:** It is my understanding that the Treasurer had to go on this anti-inflation tour of his—

**Mr. Cassidy:** It is a political junket.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Welch:** —and that he will make available a copy of the agreement to all members later on this afternoon, in their mail boxes.

Interjections.

**Mr. Lewis:** I then have a question of the House leader, if I may, as the opening question. Does he think it's appropriate that the Treasurer should sign a document which commits the Province of Ontario to a specific course of action 48 hours before he knows that the Legislature will be in session and that there is such contempt amongst the executive council that there is no attempt before the orders of the day to explain why he did it, under what auspices he did it and what he intends to do from here on?

**Hon. Mr. Welch:** Mr. Speaker, without commenting on the editorial aspect of the question, the Treasurer acted quite properly on behalf of the government with respect to the agreement. The hon. Leader of the Opposition would recognize that it was agreed that the only order that would be called at this time would be the oral question period.

**Mr. Singer:** Mr. Speaker, by way of supplementary.

**Mr. Speaker:** I will allow a supplementary to the member for Downsview.

**Mr. Singer:** Could the House leader tell us if either his colleague, the Treasurer, or the Premier (Mr. Davis), or anyone on the government side, ever got the opinion of the law officers of the Crown insofar as the legality and the vires of the ability of the government of Ontario to enter into such an agreement by virtue only of an order in council?

**Hon. Mr. Welch:** Yes, Mr. Speaker.

**Mr. Nixon:** Further supplementary: Can the minister undertake to table those opinions? And if the Legislature isn't in session when they are available to either the minister or the Treasurer when he comes back from his tour, that these papers be made public, since there is a large body of informed opinion that believes that this transference of authority cannot be on the basis only of an order in council?

**Hon. Mr. Welch:** Mr. Speaker, I can't give such an undertaking on behalf of the Attorney General (Mr. McMurtry) or the Premier. That question may be redirected later when the Premier arrives.

**Mr. Singer:** Nonsense!

**Mr. Speaker:** Order.

**Hon. Mr. Welch:** Secondly, I am here to tell the members that the Treasurer will see that copies of this agreement are given to all members later on today in their mail boxes.

**Mr. Singer:** Not the agreement, the legal opinions.

**Mr. Speaker:** Any further questions? The Leader of the Opposition.

**Mr. Lewis:** By way of supplementary: Is the minister responding by saying that he cannot guarantee to the House the provision of the arguments, which presumably accompanied the cabinet decision to do this by way of order in council?

**Mr. Singer:** As well as the opinion of the law officers of the Crown.

**Mr. Lewis:** Do we not have a right to share that?

**Hon. Mr. Welch:** I am saying that I don't feel I can give that undertaking on behalf of some other minister. The Premier will be here; the member can ask the Premier when he arrives.

**Mr. Speaker:** Any further questions?

**Mr. Singer:** Boy, in what contempt the minister holds this Legislature; what contempt!

**Mr. Speaker:** Supplementary, the member for Sarnia.

**Mr. Cassidy:** Where is the Premier? Why isn't he here?

**Mr. Speaker:** Order.

**Mr. Bullbrook:** I am wondering if the House leader could advise us under what

statutory authority the provincial minister was authorized, pursuant to order in council 48-76?

**Hon. Mr. Welch:** If the hon. member will give me the opportunity, I'll get him an answer to that before the question period is over?

**Mr. Bullbrook:** Fine.

**Mr. Speaker:** Any further questions?

**Mr. Lewis:** Yes. I would like to ask the House leader if the Minister of Health (Mr. F. S. Miller) is coming to question period?

**Hon. Mr. Welch:** My understanding is he is, yes.

**Mr. Lewis:** Does the House leader know whether he is on his way?

**Hon. Mr. Welch:** I think he has been tied up with a certain American senator who is here.

**Mr. Lewis:** Oh yes.

**Mr. Bullbrook:** Does the House leader mind a point of order, a point of clarification?

**Hon. Mr. Welch:** No.

**Mr. Bullbrook:** Thank you. Was he asking me to deliver something to him?

**Hon. Mr. Welch:** No, no.

**Mr. Singer:** How about the Provincial Secretary for Justice (Mr. MacBeth)? Does he know anything about this? No, he just sits and agrees.

**Mr. Speaker:** The hon. Leader of Opposition with his question.

## HOSPITAL CLOSINGS

**Mr. Lewis:** Because of time factors I want to move to other subjects. I assume we will get back to the Anti-Inflation Board now that the Premier is here.

May I ask the Premier: How did the government and the Ministry of Health arrive at and justify the decision to close down the Goderich Psychiatric Hospital — let me deal with them one by one—without any advance warning whatsoever to the community or to the staff of the hospital? And what is more, to do it on the morning of Dec. 19, with the Legislature adjourning on the evening of Dec. 18?

**Hon. Mr. Davis:** Mr. Speaker, I can answer the last part of the question. The Minister of



Health is here and would be delighted to answer the first part of the question.

I can only tell the Leader of the Opposition that the Minister of Health had scheduled a meeting with trustees and hospital administrators for Dec. 19. That meeting had been laid on for some period of time. It was not related to when the House might or might not finish its business. The Minister of Education had laid on a similar meeting, I guess two days before the House concluded, but that was also done without really knowing when the House was going to finish. There was no relationship between the two. As to the first part of the question, I am sure the Minister of Health would be delighted to answer.

**Mr. Lewis:** By way of supplementary: Has the Premier been made aware of the enormous public anger and consternation throughout the community of Goderich, the universal objections of the whole medical profession through Huron county, and the general state of anxiety over the closing of that hospital; which was highly regarded in every single report made by the Ministry of Health? Is it possible that the cabinet might reconsider what was done, since it seems as though there won't even be a saving of money?

**Hon. Mr. Davis:** Mr. Speaker, these matters are always difficult whenever a government or a ministry is endeavouring to effect economies; and this is true in the health field as well as any other, there is no question that it causes some difficulties. I have had some representation made to me from people—I think I can say in Goderich although they may be just outside of Goderich—related to this matter. I would not want to hold out any hope there would be a change in decision or policy, but these representations have been made to me.

**Mr. Riddell:** A supplementary: Is the Premier aware that 10 or 12 years ago this government stood for equality of opportunity—whether we are talking in terms of medical health care or education—and that the closing of this hospital is setting rural Ontario back another 10 or 12 years? Why were these hospitals built in the first place?

**Hon. Mr. Davis:** Mr. Speaker, I can certainly answer the first part of that question—does this government believe in equality and opportunity. The answer to that is, very simply, yes.

**Mrs. Campbell:** For whom?

**Mr. Lewis:** A question of the Minister of Health if I may: Is the Minister of Health aware of the astonishing and almost unprecedented tributes paid to the Goderich psychiatric facility over the years by the various councils on health accreditation, and the feeling that it was a model of its kind throughout this province? Why does he choose that facility to close down when it has probably greater community alcohol and drug addiction adolescent treatment and geriatric facilities than any institution of comparable size perhaps in this country?

**Hon. F. S. Miller:** Mr. Speaker, first, I am aware, yes; and secondly, I would suggest that one needs to read the tributes paid to other facilities as well.

It is an excellent hospital; that is not the issue in the sense of its choice. We were looking around the province realizing that over the past few years changes in the type of psychiatric treatment had gone on. Many people who were in effect chronic patients in the past had been moved out of the hospitals, reducing them to roughly half the inpatient levels they were at previously.

We have 15 institutions around the province, most of which are very fine hospitals, most of which are running somewhere between 50 and 60 per cent of their original designed capacity. It seemed that we had one of two alternatives: either we could cut the entire system back, prorating a certain number of beds at every hospital, in which case a certain number of dollar savings would be achieved, or we could elect to close one or two or more hospitals totally as units and thereby effecting many more dollars in saving per bed closed.

Many of the services the member talked about, which are very fine, are not necessarily dependent upon a person being in the institution. The record of this particular hospital shows it has a very active outpatient treatment programme. The alcoholism programme, which is in limbo right now, I will be first to admit, in terms of need or where it should go, is there based on inpatient treatment. In Timmins, it is basically outpatient treatment.

One could argue whose philosophy was better. I am not going to get into that argument. I think it is a medical one rather than mine. I simply say that when we looked at the sector of the Province of Ontario we had four psychiatric hospitals in the southwestern region, two of which were very large and obviously we didn't have the ability to close them—St. Thomas and London—two of them were twins, and they were Owen Sound and Goderich.

**Mrs. Campbell:** Owen Sound and Goderich, yes.

**Hon. F. S. Miller:** In that case, after very careful consideration months ago, not within the last week or two or three—

**Mr. Lewis:** Not shared by the community.

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** I won't argue that with the member right now.

**Mr. Lewis:** The minister didn't tell anybody; that's no way to do things.

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** We can argue that; and I will admit to certain culpability in this area, okay?

**Mr. Lewis:** But what he does to the community in the process is something to behold.

**Hon. F. S. Miller:** It is very difficult to deal with some of these things with the community in advance of the decision being made, and I admit there are better ways to do it than I did. I have learned a lot about doing it in this particular case.

**Mr. Lewis:** I should think so.

**Hon. F. S. Miller:** A lot. The next time around I think I will do it a little differently.

**Mr. Lewis:** I should hope so.

**Hon. F. S. Miller:** Don't forget this is a provincial institution versus a public hospital. Don't forget that the employment picture in that community is not being dramatically altered in total. Don't forget that the buildings will continue to be used for a need that this House recognizes as essential, and those things were done following our decision to close the hospital and rather than building on a new site somewhere else. Those factors were all taken into account, and consciously; I thought we had done that bit.

Had I the opportunity to do it again, I would go personally. I would talk to the staff in advance of a public notice.

[2:15]

**Mr. Riddell:** Supplementary: Could the minister tell me what authority the member for Lambton (Mr. Henderson) has to take it upon himself to disclose information to certain Tory repugnants in Huron-Middlesex riding—

**Mr. Singer:** That's a good word, a good word.

**Mr. Moffatt:** He's the leader of them.

**Mr. Riddell:** —about the closing of this hospital when it was agreed at a cabinet meeting that nothing would be released until either the Minister of Health or the Premier released it? What business has he got in sticking his nose in it?

**Mr. Spaker:** Order, please.

**Hon. Mr. Henderson:** Somebody has got to represent them.

**Mr. Riddell:** Well?

**Mrs. Campbell:** Well?

**Mr. Singer:** Well? No answer.

**Mrs. Campbell:** It was a political decision then.

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** On a point of privilege, that was not a political decision. I have three parties against me.

**Mr. Speaker:** The hon. member for Ottawa East with a final supplementary on this.

**Mr. Roy:** In view of the minister's answer to the Leader of the Opposition about the fact that maybe the approach the minister took in Goderich might not have been the best one, is he prepared to share with us now the list of other hospitals that he has it in mind to close; and again the criteria under which he is closing them? Is he prepared to do that?

**Hon. F. S. Miller:** Mr. Speaker, I have been going around the province—and had it not been for this session I would have been in Windsor today—divulging to public meetings the criteria used to close hospitals; but not specifically the hospitals to be closed, for several reasons.

**Mr. Singer:** Lorne decides that.

**Hon. F. S. Miller:** But I have made a promise, knowing that many hospitals in this province are sitting in a very nervous state worrying about whether they are to be closed or not to be closed. That arose from our debate on Chesley, if the member recalls, when I was asked a specific question. I answered it honestly. Perhaps one should never answer a question honestly, I don't know.

**Mr. Roy:** You didn't give us a list then.

**Hon. F. S. Miller:** But I did admit there were other hospitals.



**Mr. Roy:** Right.

**Hon. F. S. Miller:** I was asked that question and I answered it. There are.

**Mr. Roy:** Why didn't you go all the way?

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** The promise I have made to the hospitals of Ontario is that during the month of February I personally will visit any hospital board where we are considering closure. It will not be an ultimatum. It will be a discussion during which we state why we think that hospital should be closed and there will be a chance to study the reaction before the decision is made. I personally am going, not other staff. At the end of the month, all being well, if my timetable stands up, no hospital will need to be worried if it hasn't been visited by me.

**Mr. Roy:** You are not going to be invited.

**Mr. Reid:** "The Happy Hangman."

**Hon. F. S. Miller:** I can suggest that no one wants to receive a call from the Minister of Health for the next while.

**Mr. Roy:** You are a good fellow but we don't want you in Ottawa.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** We can silk-screen some banners saying "Miller Is Coming."

Can I ask the minister, given the questionable saving of money, the response in the northeastern psychiatric hospital area in Timmins-South Porcupine, the reaction he has had from Goderich and his admission that the way it was done was perhaps inappropriate, is it possible for him to reconsider the situation or to provide the rationalization document, which I gather he has, on which the decision was based, because I have never seen communities so up in arms as they are about their psychiatric hospitals?

**Hon. F. S. Miller:** Mr. Speaker, I have listened to very thoughtful arguments from the Goderich area on several occasions. The book isn't closed yet. I think the member heard the Premier say a few moments ago he did not want to give anybody any hope that their decision would be changed.

**Mrs. Campbell:** Nobody has hope who enters here.

**Hon. F. S. Miller:** But certain promises have been made to listen to a few more arguments; those promises will be met and

honoured before the decision is final. I personally will be in Timmins on the night of Jan. 19 and the morning of Jan. 20.

**Mr. Reid:** Not the kiss of death, the visit of death.

**Mr. Nixon:** Just like the Black Plague, your progress about the province. No wonder you sent the Minister without Portfolio (Mr. Henderson) there.

**Hon. F. S. Miller:** In any event, I will be meeting with people from the community then and I will be discussing their specific concerns. What I'm trying to emphasize though are the positive parts: You know, 15 locations in the Province of Ontario have a psychiatric facility.

**Mr. Lewis:** Not too many.

**Hon. F. S. Miller:** Hundreds do not have. Psychiatric care is now being given more and more in the general hospitals of the province rather than in the provincial institutions. We need to let the public recognize that our approach to care has changed, that the physical presence of a building does not necessarily mean the physical presence of good care.

**Mr. Riddell:** A supplementary.

**Mr. Speaker:** Yes, we'll allow one more supplementary.

**Mr. Riddell:** Did I understand the minister correctly when he said that further arguments will be listened to, and that the decision is not final as yet to close the Goderich Psychiatric Hospital, as is the Northeastern Hospital?

**Hon. F. S. Miller:** Let me say this, my decision was final—but there were promises made to see some people who felt they had the right to be heard, individuals not representing any group. They will be heard.

**Mr. Speaker:** Further questions?

**Mr. Lewis:** A supplementary and then I am finished. Why does the ministry say these kinds of things when the Ministry of Community and Social Services is already issuing press releases announcing the transfer to a mental retardation resource centre, when the minister has members of his staff interviewing the employees at the Goderich hospital for transfers—they have a form called a surplus staff form—and when everybody knows they're moving and he constantly suggests these glimmering hopes? Is the min-

ister or is he not final in his decision about Goderich?

**Hon. F. S. Miller:** Mr. Speaker, what I said was true.

#### ANTI-INFLATION PROGRAMME

**Mr. Nixon:** I would like to ask the Premier if he would table for this House, or make available for the members if the House is not in session, the legal opinion from the law officers of the Crown which supported the decision of the government to enter into an agreement on wage and price controls with the government of Canada, supported only by order in council 48-76?

**Hon. Mr. Davis:** Mr. Speaker, I can't give an undertaking on behalf of the Attorney General (Mr. McMurtry) in whose area this responsibility lies—

**Mr. Bullbrook:** Why not?

**Mr. Shore:** You can give an undertaking on behalf of anybody.

**Hon. Mr. Davis:** —but I'm quite sure he would be prepared to share with the members of the House the legal advice we have received and upon which we have acted.

**Mr. Singer:** By way of supplementary, Mr. Speaker, since this is a matter which is going to be revealed this afternoon, and is of great concern to an awful lot of people in this country and many members of the Legislature, could the Premier perhaps arrange today to make available to us the legal opinion? It's a matter of the most serious importance in so far as it concerns the affairs of the Province of Ontario—

**Mr. Bullbrook:** And the teachers.

**Mr. Singer:** —and the teachers—and we would like to be made privy to the kind of legal advice the government purports to act upon.

**Mr. Renwick:** Mr. Speaker, on a point of order, if I may? I could provide the member for Wilson Heights and the member for Sarnia with the opinion of the Attorney General of Ontario, who furnished it to me some time ago.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Singer:** Mr. Speaker, on a point of order, I am not prepared to accept in this matter or any other matter—

**Mr. Lewis:** Well, that's just pique!

**Mr. Singer:** —the opinion of the member for Riverdale as being conclusive. I would like to know the basis on which the Premier has formed his own opinion.

**Mr. Renwick:** If you meant the opinion of the Attorney General, I've got it.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I will not table the legal opinion prepared by myself.

**Mr. Reid:** That's wise.

**Mr. Singer:** Or by him.

**Hon. Mr. Davis:** Mr. Speaker, I will only say this, the member for Rainy River or wherever says that's wise; I agree. However, I think it might stand up with the legal opinion of the members for Sarnia or Wilson Heights. It just might.

**Mr. Roy:** Don't be too sure.

**Hon. Mr. Davis:** No, I wouldn't be sure. I haven't been practising as recently as they have.

**Mr. Reid:** Just setting yourself up.

**Hon. Mr. Davis:** We have no reluctance. I really don't know how it relates to the matter for which this session was called, but if the member for Riverdale has a copy I will endeavour to get it from him or from the Attorney General's office, send it over to the member for Sarnia to peruse and the member for Wilson Heights.

**Mr. Bullbrook:** I didn't ask for it, he asked for it.

**Hon. Mr. Davis:** Oh, the member for Wilson Heights? Delighted to.

**Mr. Nixon:** Supplementary.

**Mr. Renwick:** I have it here.

**Hon. Mr. Davis:** There it is.

**Mr. Nixon:** Mr. Speaker, as a supplementary: The Attorney General is not here; the member for Riverdale is somewhat less than helpful by saying that he has the information because—

**Mr. MacDonald:** He has it.

**Mr. Nixon:** Fine. You can table it.

**Mr. Deans:** We all can.

**Mr. Speaker:** Order, please.



**Mr. Nixon:** Mr. Speaker, speaking to his point of order, he has a letter from his good old classmate, Roy McMurtry, everybody's friend—even Darcy McKeough's friend, we understand—but what we are interested in is the opinion of the law officers of the Crown on whom this government has based its decision to enter into an agreement with the government of Canada.

**Mr. Renwick:** Here it is.

**Mr. Nixon:** This surely should be a tabled piece of information, since the result of the legislation which we are presently considering at this special session will depend specifically on the legality of that agreement. That's why we feel it's essential that the information be made available.

#### PAPERWORKERS' STRIKE

**Mr. Nixon:** I would like to direct a question to the Minister of Labour and ask her for a report to the House on the situation pertaining to the woodworkers.

**Mr. Samis:** Pulp and paper workers.

**Mr. Nixon:** Pulp and paper workers, yes.

**Hon. B. Stephenson:** We have been meeting throughout the period of time during which we have been absent one from the other. I have met with some regularity during the Christmas vacation—

**Mr. Deans:** Since early this morning, you mean.

**Hon. B. Stephenson:** —again with the officers of the unions, or talked to them by telephone almost daily, and with the officers of the paper companies—

**Mr. Bullbrook:** That's not a legal opinion; it's a letter to the member for Riverdale (Mr. Renwick).

**Mr. Singer:** What a sellout for the member for Riverdale.

**Mr. Speaker:** Order, please. The Minister of Labour has the floor. Order, please.

**Mr. Singer:** Absolute misdirection.

**Mr. Nixon:** The NDP giggles—

**Mr. Singer:** Principal Renwick.

**Mr. Speaker:** Does the member for Brant-Oxford-Norfolk have any further questions?

**Mr. Nixon:** Sorry, Bette; please go ahead.

**Mr. Speaker:** Could we get on with the question period?

**Mr. Bullbrook:** On a point of order. It's a "Dear Jim" letter.

**Mr. Speaker:** Right. Thank you.

**Mr. Bullbrook:** I have never yet seen a legal opinion that started, "Dear Jim."

**Mr. Singer:** Deliberately misleading the House.

**Mr. Bullbrook:** It started, "Dear Jim."

Interjections.

**Mr. Speaker:** Order, please. The hon. minister has a further answer.

**Mr. MacDonald:** You are interested in the form, not the subject; that is your problem.

**Hon. B. Stephenson:** Mr. Speaker, as you know, there have been at least four votes taken on the latest offers of the paper companies since we last met, and all of those votes have been rejected by the unions. There is a set of negotiations going on right at the moment in the Province of Quebec which may be of some assistance in Ontario. A set of negotiations was to begin yesterday in all of the E. B. Eddy plants in the Province of Ontario, and the CPU Ontario branch asked for their deferment. They have decided they wish to wait until there is some possible settlement of the negotiations in Montreal. That's where we stand at the moment.

**Mr. Samis:** Supplementary: Can the minister give us any indication if there have been any special steps, or if there has been any progress made in negotiations with Abitibi, to get them back to the table?

**Hon. B. Stephenson:** Yes, we have made some progress with Abitibi, as I am sure the hon. member knows. The one bit of progress we did make was—

**Mr. Haggerty:** Backward.

**Hon. B. Stephenson:** —to persuade Abitibi to pay the extra vacation pay just before Christmas. I am assured that Abitibi is willing to return to the negotiating table. I have not as yet been made aware of the date at which they are to return to the negotiating table. I think it will be in the very near future.

**Mr. Reid:** Supplementary: I would like to ask the minister if she can tell the House just where the inventories of the paper companies stand, because I don't believe the strike is going to be anywhere near settle-

ment until those inventories are down to zero.

**Hon. B. Stephenson:** I don't have precise knowledge of the inventories of the paper companies. I gather that they have been depleted.

**Mr. Cassidy:** You should have.

**Mr. Laughren:** The companies have not provided good-faith bargaining.

**Hon. B. Stephenson:** I know that certain materials which they ordinarily supply in fact are being imported from other countries to supply the companies to whom the paper companies usually sell. I really don't have complete knowledge of the present state of their inventories. I do have knowledge, unfortunately, of the human state of some of the families of the workers in the CPU.

**Mr. Reid:** Well get the companies back to the bargaining table.

**Mr. Speaker:** Does the member for Brant-Oxford-Norfolk have any further questions?

#### ELDORADO DUMP AT PORT HOPE

**Mr. Nixon:** Yes, I would like to put a question to the Minister of Health. Are we correct in assuming, from reading recent press reports, that the situation in Port Hope having to do with radiation pollution is far more serious than was indicated by the original reports when the House was still in session, and is the minister going to accede to the request from the local member, and others, that there be a full investigation to pinpoint the sources of the radiation and to undertake a planned cleanup?

[2:30]

**Hon. F. S. Miller:** Mr. Speaker, it depends upon how one interprets the word "serious." If one means in terms of the health of the people, as far as I can tell there is no serious problem there yet. It may be very difficult to convince anybody of that, but my experts tell me that is so. If one talks about the number of places where radioactive materials have been found, there are quite a few more than were originally known when we last sat in this House. Members may recall my saying at the time that it was our intention to borrow some equipment from Atomic Energy and to scan the town, in a sense, to locate whether there were other high radiation sites. This did show a number of dwellings in

particular that had a radiation count above the normal atmospheric count.

I understand we have told any private home owner of our findings. We haven't seen fit to make them public. I'm not sure whether that's legal or illegal. I think one could argue it either way and I would probably need several lawyers to come up with a consensus. I do think though that morally our responsibility, just as a doctor's is to a patient, is to the people occupying a private residence, where we tell them what their levels are, what risks, if any, we would think they are faced with and what steps should be taken.

It has not just been found in fill; it has been found in other materials. There would seem to be some evidence that not all of this fill or material was taken with the knowledge or permission of the company. I think what they hang their legal argument on is are they responsible in every case. Lumber, for example, that appears in people's walls apparently has a high radioactive level. So we would say in general terms that we know of no public place where a hazard exists. We have located a number of private homes with reasonably low but still above-normal figures. We have told the people and we're continuing our work.

As far as the investigation goes, I'm not averse to one. I think the question is whose responsibility is it and how should it be handled at this point.

**Mr. Nixon:** Supplementary: A public place would be that school. Does that school remain closed?

**Hon. F. S. Miller:** I made the statement before we broke up that the school should remain closed until we remedy the problem. I would have to take advice from those people who know more about the problem. In my own heart, I don't think it would hurt the students to go back but I don't think the community is prepared to let it happen. I would have to side with the community, having discovered that—

**Mr. Deans:** That is a change.

**Mr. Lewis:** What about Coderich? That is a community too.

**Hon. F. S. Miller:** It's a little different problem. The analogies aren't quite fair and I think the member is bright enough to figure that out.

**Mr. Moffatt:** Supplementary: Since the minister seems to be more concerned with the responsibility than with the liability of



those people and with a health hazard which may or not may be present, as he has admitted, is it possible that the minister will attempt to gather some sort of factual data with regard to the health of the people so that we'll know whether he is just taking an educated guess or in fact is basing it upon scientific information?

**Hon. F. S. Miller:** I have had great exposure to people telling me how one would do that and one doesn't just simply do it today. It requires what they call an epidemiological study. In other words, one watches them through their lifetime and sees how many of them finally die of lung cancer. That's ridiculous. Our problem isn't to see what happened, academic though it may be; it's to prevent further contact, if we can. This is where my staff have carefully documented the estimated exposure figures and the estimated durations and have said that, statistically, no one should end up with lung cancer because of it.

**Mr. Godfrey:** Supplementary: Can the minister table the number of birth defects that have occurred in the vicinity of Port Hope during the last five years?

**Hon. F. S. Miller:** I'm sure I could and the member is welcome to peruse the information and see whether there are any other abnormalities. As a non-medical person, I obviously have to depend upon the advice coming to me from those people knowledgeable in medicine. I was intrigued to see that tests were being done yesterday on people, when in fact I'm told no tests are available for the symptoms.

**Mr. Lewis:** Bone marrow tests.

**Hon. F. S. Miller:** Yes, but that is not for radon gas problems. I think one must get into this. I'm now trying to find out whether those people were sent because their doctor thought they had been exposed to radon gas and had some symptoms related to that or some other problems. At this point, that's private between that doctor and that patient and they have no intention of telling us. The press impression is that it was related to the radon gas. My experts tell me there is no known way that it is related.

**Mr. Moffatt:** A supplementary: On the last day of the previous session, it was agreed to by the Premier (Mr. Davis) that a study would be convened involving various ministries, including the Ministry of Health, the Ministry of the Environment, the Ministry of Agriculture and Food and the federal

agencies, to do a thorough study of that particular situation and, indeed, expand it into a study of radioactivity throughout the province if necessary. Has that been started yet at all?

**Hon. F. S. Miller:** Mr. Speaker, if there is one area where we have a fair amount of accumulated knowledge it is in this field. I'd like to say I will be pleased to do anything useful.

**Mr. Martel:** It's a disaster area.

**Hon. F. S. Miller:** Let's agree on what's useful. To date, no one has been able to show me what studies are going to remedy the problem except to get down to the nitty-gritty and get rid of exposure in the future.

## PIONEER VILLAGE

**Mr. Hodgson:** Mr. Speaker, I feel the question I have to ask today is of urgent importance to the whole culture of the Province of Ontario. I am speaking about a problem that exists at the present time at Pioneer Village, run by Metropolitan Toronto and Region Conservation Authority over the last year.

**Mr. Deans:** Ask it.

**Mr. Hodgson:** The question I would like to ask the minister at this time is, would he have a meeting with the officials of the Metropolitan Toronto and Region Conservation Authority—

**Mr. Singer:** He answered that on the radio this morning. He said, "Tough."

**Mr. Hodgson:** —and the members who are interested in keeping this facility open—

**Mr. Reid:** Thanks for the warning, Bill.

**Mr. Hodgson:** —with a view, and this is where the crunch comes—

**Mr. Singer:** He said "No" this morning on the radio.

**Mr. Roy:** That was a vicious question, Bill.

**Mr. Hodgson:** —with a view to helping these people out of their financial difficulties at the present time with the Wintario funds?

**Hon. Mr. Welch:** Mr. Speaker, there has been a tremendous amount of interest generated with respect to this wonderful activity in Metropolitan Toronto and I'm getting a considerable amount of mail on the question.

**Mr. Nixon:** The door is never closed.

**Hon. Mr. Welch:** I'd be very happy to meet with the officials of the Metropolitan Toronto and Region Conservation Authority—

**Mr. Singer:** Yes, but not to give them money.

**Hon. Mr. Welch:** —in order to review government policy and to indicate to members of the authority and to others just how generous this government has been over the years.

**Mr. Singer:** Yes, but not in the future. That was in the past.

**Mr. Speaker:** Order. We'll allow one supplementary.

**Mr. MacDonald:** How can the government have its annual—and I'm sure it's going to be annual since they held it before the last election—visits of all those senior citizens to Pioneer Village if we don't keep it open?

**Hon. Mr. Welch:** I don't think there is any question about it closing. I think there has been some suggestion that because of the increase in operating expenses they might have to have a more modified programme there, but certainly not a closure.

#### HEALTH OF COKE OVEN WORKERS

**Mr. Mackenzie:** I have a question of the Minister of Health. Is the minister aware that the Ontario health protection branch is currently doing threshold limit studies at the coke ovens at the Hilton works and that the union is objecting, at the moment, on the basis that there is a severe cutback in production in that department and it's going to mean tests which will not be accurate on which he might base his recommendations?

**Mr. Martel:** What else is new?

**Hon. F. S. Miller:** I'll be glad to look into it.

#### DRINKING DRIVERS

**Mr. O'Neil:** I have a question of the Premier in the absence of the Attorney General (Mr. McMurtry). Has the Attorney General's department had under review the recent decision of Judge Glendenning of the city of Belleville, where first-time offenders for impaired driving have been sentenced to jail?

**Hon. Mr. Davis:** Mr. Speaker, I can't answer for the Attorney General on that specific question. I will endeavour to get the information for the hon. member and pass it on to him.

**Mr. O'Neil:** As a supplementary, Mr. Speaker, I would ask your indulgence on this. The Belleville area has a very excellent rehabilitation programme for first-time offenders.

**Mr. Speaker:** Order, please, is there a further question? I think not. One final supplementary from the member for Wilson Heights.

**Mr. Singer:** Mr. Speaker, when the Premier is considering that with his Attorney General, I wonder if the suggestion could be made that it really isn't up to the provincial judge on the criminal side to effect changes in the provisions of the Criminal Code; it's up to the Parliament of Canada?

**Hon. Mr. Davis:** Mr. Speaker, I could only say this on behalf of the Attorney General, I have rather complete confidence in his knowledge of the criminal code of this country, how it is amended and how it is administered.

**Mr. Singer:** Some of the judges may not be as aware of that as they should be.

**Hon. Mr. Davis:** Once again without being provocative, I would suggest that he is somewhat more knowledgeable in that field than the rather extensive knowledge of the member for Wilson Heights.

**Mr. Roy:** Don't be too sure.

**Hon. Mr. Davis:** Oh, I am very sure. In that field.

#### MUNICIPAL GRANTS

**Mr. Swart:** In the absence of the Treasurer (Mr. McKeough), I would also like to direct my question to the Premier. In view of the extreme concern expressed by all local government bodies with regard to the likely cutback in services and the increased property tax rate this year, could he tell the House whether the Treasurer or any branch of the government did any studies? If so, what are the results of those studies to determine the degree of cutback in municipal services that would be necessary if the province sticks to an eight per cent limit and if the municipalities go by the 10 per cent



guideline increase in taxation? Were any studies done—and what were the results of those studies?

**Hon. Mr. Davis:** Mr. Speaker, I can't answer that in the particular sense for the Treasurer. I think part of the answer at least would lie with the municipalities. I think a lot depends on those areas where the municipalities themselves attach priority, where they decide to make their cutbacks; I think from my own discussions with a few municipalities that they want this opportunity to make their own decisions.

As to any study of a detailed nature, municipality by municipality, I can't say whether the Treasurer or his ministry has done this. I am sure there has been some study as to the overall figures and the impact, but I couldn't say whether it was broken down by each municipality—because here again you get into what the decisions and what the priorities of those municipalities may be.

**Mr. Speaker:** I will allow a supplementary here.

**Mr. Swart:** Is the government prepared to see property tax increases on the average far in excess of 10 per cent this year and still stick to the guidelines?

**Hon. Mr. Davis:** It is the intention of this government to stick to its policy on the amounts of money available by way of transfer payment to the municipalities, the school boards and to the hospitals. The question of the increase in mill rate will depend, to a very large extent, on the municipalities and the kind of priorities that they give in their recognition that we are in a rather tough period and certain programmes will have to be curtailed, reduced, or in some cases perhaps temporarily eliminated.

**Mr. Cassidy:** Like day care and children's aid.

**Hon. Mr. Davis:** We don't minimize for a moment the impact on the municipalities or the boards. But there is just no point in holding out any hope to the members opposite that we are going to increase the figures that we have announced. We will never solve the economic problems this province and this country face if every time we feel the heat we give in—and so in that way there is no solution to the problems that we face.

**Mr. Roy:** That's what you have been doing for the last 10 years.

**Mr. Speaker:** Order, please. We will allow a final supplementary, because the time has just about expired.

**Mr. Lewis:** It is your mismanagement.

**Hon. Mr. Davis:** If those guys were running the store it would be so badly handled that we wouldn't even have to worry about that.

**Mr. Speaker:** Order, please. The member for Rainy River with a final supplementary.

**Mr. Reid:** I would like to ask the Premier if he can give the House any indication of the financial and economic impact of the cabinet and the Treasurer going around the province meeting with local school boards, the cost to the province of these trips, and the cost to the local municipalities, in view of the fact that he could have sent a letter and told them what he was going to do?

**Mr. Speaker:** Order, please. That question is not supplementary to the original one. I'll hear a question from the member for Victoria-Haliburton.

**Hon. Mr. Davis:** Is that what your leadership candidates are saying?

## BROWNDALE OPERATIONS

**Mr. Eakins:** Mr. Speaker, to the Minister of Health: Is the minister aware of the problems in the Haliburton-Peterborough region of Browndale (Ontario), the recent firings and the possibilities that homes in that area will be closed down? Will he make public his own ministry's reports on the Browndale operations there? Will he consider a full investigation of the situation?

**Hon. F. S. Miller:** Mr. Speaker, I am well aware of the problems. I believe they are internal in nature.

**Mrs. Campbell:** Internal or external.

**Hon. F. S. Miller:** I believe it results from Mrs. Debbie Brown changing certain key staff. We are watching the programmes, because our real concern is whether the children are being properly treated. We realize that there will probably be a number of relocations of children in most cases back to other communities closer to the ones from which they came. We are watching it very closely.

As far as revealing internal documents is concerned, no.

[2:45]

**Mr. Speaker:** We will allow one supplementary.

**Mr. Eakins:** Does the minister agree with the apparent Browndale practice of having one of its operations rent, lease and sell properties and services to another part of the organization? Is it not true that his ministry has told other operators that they can't operate in that fashion and yet the minister has continued to allow Browndale to do this?

**Hon. F. S. Miller:** First of all, Mr. Speaker, I don't know that we have ever told anybody else that. Secondly, we don't pay them on the basis of the cost of a home, we pay them for a per diem charge for services rendered the same as we pay all other organizations now. I don't care whether they are in a palace or whether they are in a modest home, that is their business.

#### CANADIAN SKI PATROL SYSTEM

**Mr. McCague:** A question of the Minister of Culture and Recreation: In view of the financial condition of the Canadian Ski Patrol System and its essential role in this province, would the minister consider financial support to the work of the patrol in the province?

**Hon. Mr. Welch:** Mr. Speaker, like the hon. member I am very aware of the splendid work that is being done by the Canadian Ski Patrol System, but I am advised that the financial problems to which he refers are those of the Canadian association. The president of the Ontario division tells me they have sufficient funds to carry out their programme and we do, incidentally, provide an annual grant of \$5,000 to the Ontario section to assist with the cost of training their ski patrol members.

**Mr. Speaker:** We can have a brief question from the member for Cornwall.

#### MINIMUM WAGE

**Mr. Samis:** I will try to make it brief, Mr. Speaker. To the Minister of Labour.

**Mr. Singer:** That's long enough.

**Mr. Samis:** No no. I listened to you, Vern.

Can the minister tell us why the announcement to increase the minimum wage was made after the Legislature was adjourned before Christmas, why the increase doesn't take effect on Jan. 1 instead of March, and why the minimum wage in Ontario, even with the increase, is still below that of the

federal government, the Province of British Columbia and the Province of Quebec, both of which will be increasing them again this spring?

**Hon. B. Stephenson:** Mr. Speaker, the minimum wage was announced, I think, on Dec. 22 because that was the date on which it was finalized. Secondly, it was an incomplete report, as I am sure the member is aware, because we haven't as yet finalized the student wage, the wage for agricultural workers and the wage which is being considered for those people who work within the hospitality industry. It has been finalized as the general minimum wage and the construction minimum wage.

The second question I believe the member asked was, why was it not effective on Jan. 1. Because we feel that it is more responsible to give the employers of this province at least a three-month lead time so that they can in fact establish their budgets for the next year on the basis of their foreknowledge of the increase in the minimum wage. As I told the member before, we hope this will be done in a phased manner and that three-month lead time we felt was necessary for the general employers.

The third question the member asked was, why was it lower than Canada and BC. Because we, in our very responsible examination of the problem of minimum wage, have to look at the industrial mix of this province which is entirely different from any other jurisdiction in this country and particularly from the federal government's. We have a number of industries which are quite different from those in any other province which are directly affected by the minimum wage. Our competition for the products of these industries is not within Canada primarily, it is with the United States—with upper New York State and Ohio. I will tell the member right now that our minimum wage is almost double one of those and about two-thirds higher than the other. We have a very real problem with that kind of competition, but we do not adjust the minimum wage in a frivolous manner.

**Mr. Speaker:** The oral question period has expired.

**Mr. Bullbrook:** On a point of order, before the orders of the day. I want to assure you and the Premier and my leader that the "Dear Jim" legal opinion doesn't include one of the most manifest objections that we have, and that is that the agreement was not subject



to or the result of statutory authority passed by this House.

My point of order is that the House leader said that before the end of the question period he would give me the statutory authority—

**Hon. Mr. Welch:** I would try; I haven't got it yet.

**Mr. Bullbrook:** I thought the question period was over.

**Hon. Mr. Welch:** It is over. I said I would make an honest effort to do it.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** Resuming the adjourned debate on the motion for second reading of Bill 1, An Act respecting the Metropolitan Toronto Boards of Education and Teachers Disputes.

#### METROPOLITAN TORONTO BOARDS OF EDUCATION AND TEACHERS DISPUTES ACT (continued)

**Mr. Mackenzie:** This bill is a disturbing one for many of us. I want to correct a statement made by one of the members across the way that the purpose of this bill, compulsory arbitration, has been unanimously accepted by all three parties in the House because I don't think that's the case. It certainly doesn't show much awareness of that member of the labour position of this party and its non-acceptance of compulsory arbitration.

**Mr. Speaker:** There is too much noise in the chamber. Will you cut down on your conversations, please?

**Mr. Mackenzie:** I also want to respond just briefly to some of the accolades that were tossed to the Minister of Education (Mr. Wells). I am not trying to criticize him in any personal or bitter way. I think he has got a pretty serious department, a pretty major department to administer and while I may be a new member in this House I recognize some of the problems and responsibilities that go with that kind of a job.

But I do want to say as a trade unionist and a new member in the House that I sat quietly, although at time it was very difficult to do, over a period of several weeks prior to this teachers' strike taking place and heard the leader of my party, and the leader of the Liberal Party after him, speak day after

day about personally intervening or bringing them together or sitting down with them. I heard him—and I don't have the Hansards in front of me—say on more occasions than one that he didn't think it would be helpful, that there wasn't the immediate need, that they were dealing with it and that the parties were together. We couldn't seem to get through to him what was going to happen in this situation. Quite frankly, while his job may be done well in many areas, I don't think he did a particularly good job in terms of a very difficult and a very serious developing strike situation.

It reminds me a little bit of another new piece of labour legislation that was passed about a year ago in this House that authorized, among other things, the setting up of a disputes advisory committee to which we could refer or which would deal with particularly difficult labour situations or strike situations. I don't know in the year that it has been in that this committee has been used once. I do know that I myself have tried and that others have tried on two or three occasions that I know of or suggested that the disputes advisory committee be used in particularly difficult and sometimes lengthy strikes in this province. We haven't been able to make use of it. It makes one wonder what the legislation was put on paper for in any event.

I have also heard members in this House say that there was not much point in ordering the teachers back or asking the teachers and the board to go back into negotiations, that the parties had reached a point where there was just no room for manoeuvre. I am not sure that the members of this House have honestly thought out one of the major reasons why those negotiations were not bearing fruit. It is almost impossible, if one has done any collective bargaining, to reach agreement with intransigent management—and the boards certainly didn't help in this situation—if they know, given a showdown and a long delay, they can count on the government moving in and ordering them back to work. Really if you stop and think, Mr. Speaker, there is little wonder there was no real pressure on to settle, particularly also when we couldn't get the minister involved in the last few weeks.

I also think that one of the things that we have got to come to grips with in this House, and at this time, is what is happening to collective bargaining in this province. This concerns me. Some members said, "Oh, this is not an issue," or "Really, you're overemphasizing this issue." Let me tell you it's the

one issue right now that's bothering collective bargaining teams or negotiators for almost every union in this province and in this country. There is an anti-labour reaction, there is a reaction about big unions. I don't think it's fair; I'm not here to debate that. But that kind of atmosphere is there.

By accepting the federal price and wage control legislation in this country, we have come very close to destroying the whole principle of collective bargaining. That to me is one of the tragedies in Canada, that piece of legislation. It is so bloody unfair and I think people are beginning to see that it's unfair.

There's no question people want something done; that there's a fear of inflation. But it is unfair to bring in legislation, such as that federal legislation, which effectively controls what's easy to control—and that's the wages of people—without the other controls. They're not there, Mr. Speaker. It is very unfair to have this provincial government cop out of its responsibilities by buying that kind of a position. That's what it is in my opinion—a copout. We are very very close to the end of really effective collective bargaining. How in blazes can you sit down, even if the companies are willing to talk to you, and even if you're in a behind position with wages—as many, many workers still are—when they know that the legislation is there that stops them from getting more than eight per cent, or that says: "Whatever, you get, you're going to have to before that doggone board"?

With this kind of a scenario there was no way you were going to get effective collective bargaining. That's one of the things that, even with the position we have on this bill, I find some difficulty with. But I think that we've got to understand what we're doing.

It's not just the teachers; that's the other point I want to make. It's not the teachers at all in this particular situation. We have this concern I've talked about—about free collective bargaining, and whether there's an attempt to reduce the effectiveness or the possibility of free collective bargaining in this country.

Any move that causes compulsory arbitration or orders a group of workers back to work just adds fuel to those groups—and there are many, and it includes most management and most business groups—who do not want to see the prices go up vis-à-vis higher wage contracts. Anything that hits, that effectively stops a group, such as compulsory arbitration, is a threat. Whether you realize it or not, it is being seen as a threat by the labour movement right across this province and right across this country.

I'm constantly amazed at some of the positions I see coming out. I more or less expect them, I suppose, from the party across the way. But I'm amazed by a party that tries to appear friends of labour and by some of my Liberal friends and some of the bills they bring out and some of the positions they're taking on compulsory arbitration, or in denying the right to strike. This is going to effectively destroy the trade union movement, if that's the position that carries in this country.

I think for many reasons it is a mistake in legislating the teachers back. This is being watched by all of the organized workers in this country. What the government is doing is going to leave a legacy of bitterness. Let me tell you something else—some people seem to think that we're a little bit complacent; that this is not really something to worry about. Compulsory arbitration is one of the most damnable things that can happen in the labour relations field in this country. I think it's worse than strike breakers and many other areas that we've taken on. It does really cut at the guts of your ability to negotiate a good contract—and we just can't allow that kind of legislation.

I am also constantly amazed—and once again I suppose I shouldn't really be this surprised at the party across the way bringing in a bill as barefaced as this one; a party that usually is talking about private enterprise and individuality and freedom. Why is it—I'd like an explanation from some of the members—that when they're finally going to crack down, it's always working people or unions that are hit with this kind of legislation? That is what is happening or what seems to be happening across this province.

[3:00]

As an active trade unionist for many years, I took a look at this bill and said to myself, "There is no way I can support compulsory arbitration." That is the position of my party, and I am not afraid to stand and be counted on that. But I also feel, as an elected member of this House, that I've got a heck of a lot of responsibility to a lot of people and to constituents who may have political beliefs with all parties. I am also ready to accept that kind of a responsibility. If there is a road we can go, or a way that is a little better than the minister is suggesting, I am willing to take a look at it. I may not like it—I don't—but at least we are not inflexible. We are willing to take a stand if that's what we have to do, and I am proud to do it; but we are also willing to take a look at a way out.



**Mr. Johnson:** Next year?

**Mr. Mackenzie:** Very frankly, in my opinion, this is not the best way out. But let me tell hon. members that the reasoned amendment we have suggested, while it does contain still one of the most damnable features of the bill—that is, ordering them back to work—also says at the same time that they have a floor and that they are going back to the bargaining table. It is not something I am comfortable or happy with but, in the interest of making a positive recommendation, it is something I am willing to support. It makes one hell of a lot more sense than ordering those workers back to work with no say in what is going to happen. It is difficult enough with the AIB, but this legislation provides no say whatsoever as to what is going to happen; it is legislation that is compulsory and really tears the guts out of the whole collective bargaining system. To say that is the only alternative, I think the government, and the Liberals if they support them, are just dumb if that is the position they put. I would ask them to reconsider their position, and I am sorry if I feel that strongly about it.

**Mr. Stong:** Mr. Speaker, over the last few days I have, as have probably many of the members from Metropolitan Toronto and the outlying districts, received phone calls concerning this problem before us today. Considering all the phone calls opposing legislating the teachers back to work, the opposition seems to be predicated upon two premises: (a) that the students have already lost their year; or (b) that legislation would dictate the terms of settlement.

As a result of my inquiries, I am satisfied that the students at this point, if the schools are reopened, can salvage their year. As well, I recognize that Bill 100 has strengths and weaknesses and that its weaknesses seem to be relevant to the fact that it is powerless when there appears to be bargaining either in bad faith or when an impasse has been reached.

Negotiations have been fruitless in the outstanding area of monetary settlement, and there seems to be no alternative in the circumstances of this particular case but to protect by legislation those most innocently affected, namely the students.

Bill 100, while guaranteeing the right to strike, also provides machinery for collective bargaining. In the case at hand, bargaining has been going on for one year almost to the day and the parties are no nearer settle-

ment now than they were when they first began, particularly in the area of monetary settlement.

When negotiations have failed—and they have — then compulsory arbitration is the only apparent solution. Even in this regard we can preserve the vehicle of negotiation to some limited degree and we can strive to deprive neither side of its right of input into settlement, even in the area of compulsory arbitration. But we, as legislators, must not remove from the parties in this dispute their duty to negotiate, and it is only in light of this that I can support the legislation before the House which requires both parties to submit finally their agreements and disagreements and to allow an independent third party to assess the fairness of both submissions and arrive at a decision which becomes binding.

This morning, the Premier (Mr. Davis) indicated that if the parties had reached an agreement before this bill was passed, he would have the bill removed from consideration by the House. The very fact that we are here today discussing this may be an incentive to the parties to settle. It seems to me that the parties to this dispute must recognize that they have some responsibility in making the legislation work, and I'm referring to Bill 100, and over the past year they have not been able to make it work.

I am likewise intrigued by the preamble to the government bill, particularly by the verbiage which states "and whereas the public interest . . . requires that secondary school teachers return to and assume their duties". This statement seems to me to recognize the weaknesses in Bill 100 and at the same time could be read as a warning to other negotiators in other arenas of contention that apparent bad-faith bargaining or continuing inconclusiveness cannot be tolerated, particularly where there is hardship worked on innocent third parties.

As members of this House we accept as part of our responsibility the protection of those who are innocently placed in a position of suffering; and at the same time we must strive to be fair to all parties. My interpretation of being fair does not include the dictating of terms of settlement, particularly in this dispute between opposing factions, but rather I believe that a sense of fairness in these particular circumstances does require that the parties apply themselves in a final effort to come to a meeting of minds; and this be done in making final submissions to the independent third party or the arbitrator who will arrive at an enforceable

decision in the areas of unattainable agreement.

We cannot dismiss from our minds that each party involved here has been negotiating for one year and each party knows more of what the other party will accept than even we here. Keeping in mind all of those considerations, it is for those reasons that I give my support to the bill before the House.

**Ms. Bryden:** Mr. Speaker, the fact that we are here today is an admission of a breakdown, a breakdown in a process which all parties in this House had entered into with high hopes. We had entered into a process whereby we extended to a large group of employees in the public sector the right to have a say in their wages and their working conditions; and with it the right to withdraw their services, without which we can have no true collective bargaining.

Bill 100 was adopted and put into effect and I think it is unfortunate that in its first year we have suffered the kind of breakdown of that process that has occurred in the city of Toronto. Bill 100 has worked in a great many other board areas, so I think one of the things we should be looking at is why this breakdown occurred here.

As a Metro member, I regret that the breakdown occurred here. I am aware of what it has done to our community, of how many people are concerned about the quality of our education following this breakdown. The parents are concerned about the future of their children. The kids are concerned about what will happen this year and whether they will get their year. The teachers are concerned about whether their just claims for catching up with other sectors of the community will be honoured. The trustees are concerned with what will happen to the tax rates, although in that respect I feel that the pressure on them should be relieved somewhat by the province assuming a much greater share of the costs of education, which would benefit the whole community and not just the property owner; the whole community can pay on an ability-to-pay basis more easily than the property owner.

I deplore the factors which contributed to this breakdown. I deplore the scare stories that came out about the fact that all students who weren't back by tomorrow would lose their year. I think they were completely unsubstantiated.

I deplore the media's vilification—that's a strong word but I think it seems to categorize some of it—the media's vilification of the teachers; their contribution to the mis-

understanding of the role of teachers in our community. I deplore the bitterness and the bad faith which was shown in some of the negotiations. I deplore the misinformation which came out in distorted ads. And I deplore most of all the cop-out of the government, the members opposite, on the whole question of the public sector and the Anti-Inflation Board. I think the government is hiding behind the skirts of the AIB in order not to have to discharge its responsibility to see that public sector employees in this province are able to close the gap between themselves and other employees doing similar work in the private sector.

I think the signing of the agreement two days ago before this House met was an insult to the House and that we should have had the opportunity to debate what was going to be exempt, because there are certain sectors that are exempt from the federal application of the anti-inflation regulations. There is no reason why the teachers could not have been included in those exempt sections. In fact, in my opinion the whole of the public sector should be under provincial jurisdiction.

**Hon. Mr. Wells:** Mr. Schreyer doesn't agree with that.

**Ms. Bryden:** People may say that when you're controlling inflation you can't have conditions that are different across Canada for the same people.

**Mr. Foulds:** We haven't got it in this jurisdiction. You just heard the Minister of Labour (B. Stephenson) say why the conditions were so unique in Ontario. Let's just argue about Ontario.

**Hon. Mr. Wells:** A very perceptive fellow.

**Mr. Foulds:** The Minister of Labour?

**Mr. Samis:** Peter Lougheed isn't locked in, though, is he?

**Ms. Bryden:** The logic as to why the anti-inflation programme for the public sector should be administered by the provincial government is overwhelming. The provincial government is responsible for the supply of funds for most of those programmes the public sector employees serve. The provincial government is responsible for the services those public sector employees provide; education health and so forth. The provincial government is really responsible in the last analysis for the tax policies which finance those public sector operations.



The Anti-Inflation Board is just not familiar with the conditions in each province in these very complicated fields of providing services to people under different provincial programmes. It is also completely bogged down in handling all the private sector contracts that it has. So I think the government is largely responsible for this breakdown in the teacher negotiations. Certainly we all know the intervention of the AIB in December had a great deal to do with the setback of any progress that was being made in negotiations.

Finally the provincial government is doing nothing to see that prices are controlled and it's prices which are fuelling the demands for wage increases. If prices had not gone up so much in the last four years the teachers would not be as far behind as they are and they would not need as big an increase, but the provincial government has again opted out completely on that and left it to the federal government. And we all know that the federal price control is a complete sham. The province could have set up its own price review board and could have controlled oil prices. It took the freeze off one month after the election. It could have controlled housing prices.

[3:15]

**Hon. Mr. Timbrell:** Two months.

**Ms. Bryden:** I thought it was a month and a half. I'll stand corrected.

**Mr. Foulds:** Don't be corrected by him.

**Ms. Bryden:** So we have this breakdown and the question we must face is what do we do about it? We could decide that we will scuttle Bill 100 and that all disputes of this sort will automatically go to compulsory arbitration. Those of us who believe in collective bargaining find that route completely unacceptable because we know for a fact that the employees who are subject to compulsory arbitration in the hospitals and so on slip behind. They do not have the same opportunity to negotiate their own terms as the rest of the private sector.

Why should we have two separate classes of employees—those who serve the public sector and those who serve the private? On strikes in the public sector one gets much more reaction from the public because they appear to be much more affected. I don't know how many people realize that the pulp strike is going to have the newspapers closing down in a month or so and that we are going

to run out of Kleenex. Until that happens, people aren't aware that there is a very serious strike going on in the pulp industry, and so the public is not demanding compulsory arbitration there, but they are demanding it in the public sector, because they are much more aware of what is going on and how it is affecting them.

I'm not saying that we shouldn't be concerned by the fact that the public is seriously affected, but I think we have to look at the pros for compulsory arbitration and the cons. The pros are, of course, that the community is seriously affected if a strike goes on too long, that the kids are affected and that there appears to be a stalemate. But the cons are also compelling, and we must look at them as well.

There is the whole question of the death of Bill 100. If every teacher strike ends in compulsory arbitration, Bill 100 will be dead. It will be the death of collective bargaining, not just for the teachers, but for the entire public sector because the same pattern will be followed. It will be the death of collective bargaining, not just for the public sector, but for what are considered essential services in the private sector. And then we have to decide what is an essential service.

It will be writing off a year's attempt at new legislation and a year's attempt at collective bargaining. It will be writing off the possibility of looking at the breakdown and learning from what has happened and improving Bill 100 to make it work. I think that can be done. In my opinion, the cons are stronger than the pros because they involve the right of people in the public sector to have the same rights as those in the private sector. I think we should restrict to as small a group as possible the people we deprive of those rights. I agree that policemen and firemen probably have to be deprived of them. But we should have as small a group as possible; otherwise we have two classes of citizens.

Since we have come to this impasse, in deciding what we have to do, I think we have to accept certain facts. We have first to accept that if the schools are closed too long the community probably is harmed. If the kids are out too long they are probably harmed, and therefore, some action must be taken.

We have also to recognize that the teachers have a very strong case for a substantial salary increase simply to catch up. Since 1971—if we take 1971 as 100, the teachers' purchasing power is down to 91 by 1975. With the average industrial worker, if we take 1971 as 100, his purchasing power is up

to 104.5, so that the teachers have a very strong case just for catch-up. There is also a case for recognition of their contribution to the community. For many years teachers have contributed voluntary extracurricular services; they get no pay for this. They make a great contribution to the community and yet we are not prepared to pay them on the same basis as other people whose jobs require university degrees. I think we have to face up to this and recognize that they are entitled to the same sort of remuneration as people with comparable education in other jobs.

The next factor that we have to recognize is that the teachers should have the same rights as employees in the private sector and that the taxpayers' load is too great. As I have mentioned before, the way to solve that is for the province to get into the act more.

Since we have decided that this is a breakdown and that we have to do something—the question is, what do we do? What is wrong with this bill? There are four things that I can see. First, the teachers go back empty-handed after months in the cold and the sleet on the picket lines; after nine months of legal collective bargaining, and exercising their legal right to strike, and after widespread recognition, by people from Mr. Hartt down, that they have substantial claims to increases beyond the 12 per cent in the guideline.

After looking at their entitlement to special consideration under the guidelines, they do fit the various criteria that were set forth for special consideration, such as that the last contract negotiations were prior to Jan. 1, 1974, and other secondary school teachers throughout the province are being paid more.

I think there are 22 boards that are ahead of the teachers in Toronto for one or more categories. The Metro boards are having trouble hiring enough teachers to meet their contractual obligations. These three factors alone entitle them to special consideration, but, there is no special consideration guaranteed to them in the bill.

Second, it is back-to-work legislation of a very unusual nature in that it contains absolutely no minimum settlement, no floor from which the arbitrators start. This is going to put the teachers back in the classroom with a very deep sense of insecurity and a deep sense of injustice that not even their minimum claims have been recognized.

Third, there is no proposal for rehabilitating Bill 100; there is nothing in the bill which will tell us what happens next year.

Perhaps we should be looking not only at Bill 100 but at the whole Metro education legislation here which sets up this six-board consortium for bargaining purposes; perhaps that is partly at fault.

These are the flaws in the bill and that is why we brought in our reasoned amendment, to correct them. It seems to me that the previous Liberal speaker should be ready to vote for our bill, because he was calling for back-to-work legislation with resumption of negotiations and that is exactly what we are calling for. We think this is the only way to see that collective bargaining is preserved; that Bill 100 is not buried with this bill.

In summing up, all we are asking the government to do by accepting the amendment is to recognize that this is an exceptional situation that requires exceptional treatment. We are simply giving more time for the resumption of bargaining but at the same time we are ensuring that the schools are opened so that the damage to the community and to the students, if it has been occurring, is not continued.

We are also recognizing that the teachers' claims for catch-up are at least as great as the final offer of the board, that that is not a ceiling and that negotiations are still permitted. It is also possible under our proposal for the variation of those terms in that in the negotiations the teachers could decide, if they did not like a certain term of the final settlement as well as another one, they could substitute the other one for it but the total package in money would probably amount to about the same. That sort of flexibility is possible under the interim settlement, and I think that should be recognized. That will speed up negotiations, because if there were certain clauses in the final offer that the teachers did not like, I think they could be renegotiated and still come within the interim minimum base floor. That, it seems to me, will speed up the whole process of getting a final settlement.

Finally, after this legislation is passed, I hope that we will take a good look at Bill 100 and the Metro education legislation to see how we can rehabilitate them so that collective bargaining does carry on.

Mr. Speaker, I intend to vote against this bill because I think it is very defective in settling this particular emergency and because I think there is a way to do it and to have the schools open on Monday morning.

Mr. Williams: Mr. Speaker, as a member of the House from one of the Metropolitan



Toronto ridings, I have been heavily and personally involved in this dispute since day 1, perhaps more than many of the other members of the House.

Since the strike first began, I have been involved in discussions and in receipt of telephone calls and letters from teachers, trustees, students and parents. I can assure you, Mr. Speaker, there is one thing that has arisen out of this labour dispute that has amazed me—and it amazed me at the time we had another rather significant major labour dispute in the Metropolitan Toronto area that severely inconvenienced the public, which was the Toronto transit strike not too many months ago. The thing that utterly amazes me throughout this and that situation is the public virtue of tolerance, patience and understanding that has prevailed throughout. I think this is something that is deserving of recognition and full credit.

It has been suggested by the member for Kitchener-Wilmot (Mr. Sweeney) that a great deal of hostility has arisen because of this labour dispute. I have to challenge that position, based on my own personal involvement and findings. Most certainly there has been frustration and concern expressed to me by my constituents but without exception, in talking to these people on a one-to-one basis, I have always found that rational, reasoned discussion has taken place. While there have been expressions of concern and frustration, they have not, in my perception, come to the point of outright hostility. I would like, in that sense, to put the matter back into a more proper perspective.

I think, however, we must not here today put the public virtues to which I have referred to the ultimate test and bring them to the breaking point by involving ourselves in a situation where there will be unnecessarily protracted debates and unnecessary delay to deal with an unusual situation, as has been recognized by this House being specially convened today to deal with a crisis situation.

I think, without exception, today I've heard speakers bring in the overworked phrase "cop-out" and the overworked criticism of the so-called sweetheart deal that the province has with the federal government in trying to deal with a national crisis situation. Throughout it has been used, I suggest, to put an unfair perspective on this whole debate here today.

We have to recognize that we're living with a national fact of life and that there is a federal programme of restraint in existence. To use that as a whipping boy in this

province for this government in having exercised its responsibilities, along with other provincial governments in joining that programme, I think surely is unnecessarily introducing a side issue that is not germane to the merits of the legislation before us.

**Mr. Bullbrook:** It'll be rather germane to the teachers when Mr. Pepin tells them how much they get.

**Mr. Williams:** I would suggest that the only time I can anticipate hostility arising in the public sector at large would be in fact if this House gave serious consideration to the amendment that has been presented to us today by the New Democratic Party. I think it would be an insult to the public who have exercised this restraint and the tolerance and understanding that I have spoken of, now to have this Legislature impose the base terms of settlement upon the parties to the dispute as a basis for further negotiations. It is totally inconsistent and I think it would be the straw that would break the back of the virtues which I have referred to and that so far the public have demonstrated so well.

The Leader of the Opposition (Mr. Lewis) made use of the term "falderal" earlier today in his remarks on this subject. And I can only suggest that if we seriously pursue the NDP amendment as a legitimate alternative, then surely we are engaging in political falderal. I think the public can expect no less of this Legislature today than to deal with the legislation in principle expeditiously and decisively.

**Mr. Mackenzie:** Hit them over the head.

**Mr. Williams:** Either we agree, as do our Liberal opponents, that the principle is sound under the given circumstances, or those who oppose in principle the concept of the legislation as being the best of a not too happy experience should simply at this time stand up and be so recorded. But I think it would be inappropriate and disillusioning to the public to now find that the ultimate source of redress, the Legislature of this province, is embroiling itself in an unnecessary and protracted debate and discussion when the issue is so basic and straightforward and clear.

Accordingly, I suggest that this House should forthwith deal with the legislation before us. I am satisfied that with the logic that has been expressed both by the members of the government party and the members of the Liberal Party today, that this legislation will be dealt with expeditiously and brought forward to represent the most

equitable and fair treatment that can be imposed at this time under the given circumstances.

**Mrs. Campbell:** You know, Mr. Speaker, it is always good to sit and listen to debates, because the previous speaker has almost made up my mind that I must accept some kind of ceiling or floor for this particular legislation.

When I hear a member of this government say that we must take this responsibility, I want to know why he wouldn't have said the same thing about Bill 12 in 1974. In ending the York county teachers' dispute, it provided an interim salary increase. Or what about Bill 119? We referred to the transit strike, and again there was an award of an interim wage increase. But it is different here, isn't it? It's different when we abrogate our responsibility—

**Mr. Williams:** I must remind the member I was not a member of the House at that time.

**Mr. Speaker:** Order, please. The hon. member for St. George has the floor.

**Mrs. Campbell:** I have the floor.

**Mr. Deans:** If her colleagues won't support the hon. member, we will.

**Mr. Williams:** On a point of order, Mr. Speaker—

**Mr. Deans:** Oh sit down. The member had his chance.

**Mr. Williams:** Mr. Speaker, I would remind the member presently addressing the House that I was not a member of the House at the time the bills she is referring to were introduced and dealt with by this House.

**Mr. Speaker:** That is not a point of order.

**Mr. Deans:** It is not our fault he is a member now.

**Mr. Williams:** The speaker was referring directly to the previous speaker, Mr. Speaker; and as such I think I have a right to draw that to her attention.

**Mr. Speaker:** The hon. member for St. George has the floor.

**Mrs. Campbell:** Mr. Speaker, one would hope that a person prepared for this debate might have looked at the precedents before becoming involved in fatuous statements.

**Mr. Deans:** Absolutely.

**Mrs. Campbell:** Mr. Speaker, why are we here today? This is the important aspect—

Interjections.

**Mr. Speaker:** Order, please; the hon. member for St. George has the floor.

**Mrs. Campbell:** We should have been debating this government's position on the Anti-Inflation Board and on the provisions of the agreement, which should never have been signed. It should have been brought before this House. Instead of that, we are here to discuss the matter of the teachers, and I say to you we are here because of the lack of leadership of the government for a period of years and, recently, the fact that there are governments who prefer to stay in power rather than to exercise courageous leadership—

**Mr. Drea:** Is that why you are running for leader?

**Mrs. Campbell:** —and the fact that this government ducked out and left the authority for the educational processes to the federal government. We recognize the fact too that perhaps we might not have had to be here today if the actions of this government had not so politicized teachers that they, in fact, recognized their own problems with this government in a way in which I'm sure would not have been the case some years ago.

We're here, too, because the official opposition lacked integrity, voted in favour of political expediency and became the Santa Clauses which they professed they were at the time of the very significant debate on the Liberal amendment to the Throne Speech.

**Mr. Good:** Let's hear your applause over there now.

**Mrs. Campbell:** I want to remind this House that this party and, let us freely admit it, in an interregum period, was not in the best position to force the government down. But I'm going to tell you, Mr. Speaker, the position we took was on a matter of principle and I will tell you now that this government will live to rue the day that they have placed the fortunes of this province in the hands of the Anti-Inflation Board in Ottawa.

**Hon. Mr. Wells:** Why don't you say the federal Liberals? Are you afraid to say that?

**Mr. Drea:** She is running for the leadership.

**Mrs. Campbell:** I am not afraid to face facts, but the minister is.



**Hon. Mr. Wells:** Come on, let's hear you say it.

**Mr. Drea:** She won't say it.

**Mr. Shore:** I'll say it: Federal Liberals.

**Mrs. Campbell:** On the eve of the last election, they were worried about those treacherous Liberals in Ottawa; then they got into their pocket and put the teachers right in the pocket with them.

**Mr. Shore:** No wonder the minister hasn't been sleeping too well.

**Hon. Mr. Wells:** I sleep just fine.

**Mrs. Campbell:** Don't ask me, am I afraid? I have no fear of speaking what I believe to be the facts and the truth.

**Hon. Mr. Wells:** You don't realize the national situation in Canada at all.

**Mr. Shore:** Did the minister look at his last financial statement? He should look at his last financial statement.

**Mr. R. S. Smith:** The minister wouldn't take the five per cent decrease last year. Does he remember that?

**Mrs. Campbell:** I may not be privy to all of the facts so far as the federal government is concerned, but, believe you me, I am convinced that the federal Liberals have bailed out this government in its profligate spending and its needs to retrench now at the expense of many of our citizens.

**Hon. Mr. Wells:** It is the other way around.

**Mr. Drea:** When was the last time "Lucky Pierre" did anything for anybody?

**Mrs. Campbell:** There is another reason why we are here. It is a fact—there is no question about it—that initially the teachers, through their leaders, did take an unreasonable stand, having in mind the economy of the day. But we have to remind ourselves that they took all the necessary procedures under Bill 100, including the fact-finder's report and that, in view of the legislation, they were entitled to look to that report.

One of my deepest concerns about this bill today is that we have seen the almost unanimous condemnation by the news media of the teachers. There has been nothing from the government's side to alleviate that situation. In my experience, it usually does take two to tango. We wonder about the board's position in all of this. I just mention that.

I know some of the facts of the teachers in my own riding. When I hear about some of the salaries, and I know what some of them are, it's an outrageous misrepresentation of the position of some.

[3:45]

In looking at my reasons for supporting the legislation to bring the teachers back in the classroom, I have to say to you, Mr. Speaker, I sincerely believe, as I think everyone else does, that the time has come when the students must get back into their classrooms. If I did not believe that, I would not be here supporting it in all likelihood. But more than that, I don't think it is good enough for me to say that I support putting them back unless I am sure that I am putting them back into an educational process.

As long, therefore, as teachers have been held up to ridicule and as long as this bill really is seen to be punitive in some of its elements, I have a grave question in my mind in trying to put myself in a teacher's place—and I'm not qualified to teach—however, let me take it I'm a moderate person, I have been caught in this series of circumstances and I am on strike; in some cases I'm locked out. I start to look at what is being said about me. I look at what students are doing too and I worry about the atmosphere in the classrooms. That bothers me.

I would hope sincerely that some of the suggestions or nuances are not correct, and I'm sure they're not. No government, I think, would orchestrate any demonstration in front of the Legislature. It just happened to come at a fortuitous time. If we are really concerned about the way in which education will continue, then we must, all together, surely do all in our power to erode the kind of criticism which has been made concerning teachers and the teaching profession; otherwise we are not going to achieve an educational system that will work, because there has to be mutual respect between student and teacher and the desire to get on with the job of teaching.

I guess what I am trying to say is that I don't believe we can make a teacher teach any more than we can make a mother mother. In the final analysis, it is because I have faith in the teachers, I have faith in the fact that they will go back and they will give it everything they've got, and don't let any member in this House legislate them back unless at the same time they have that belief in the teachers, because then we are just guilty of perpetrating a farce.

There is very little more I can add to this debate. I do point out the precedents and ask that they be considered by the government members. It is very tough really because I felt, as did others here, that it would be unacceptable to legislate teachers back unless there were controls through an anti-inflation board in the province. We fought for that precept and we lost, because the official opposition wanted everybody to have a merry Christmas and I have—

Interjection.

**Mrs. Campbell:** Usually I sit here and I listen to the Leader of the Opposition (Mr. Lewis) with a great deal of delight. I find him to be a most interesting speaker, although admittedly I don't always agree with the content. I wish all of those people who recommend, for instance "Go Ask Alice" as a reading book, would bring their students here to hear a person who has a recognition of the beauty of the English language. But I will say this, today I really couldn't believe what I heard; I couldn't believe what I heard. Never before would I ever say of this speaker, this delightful speaker, that he was both fatuous and—oh I could say of other occasions he was expedient, yes I could, but not fatuous, not ever before. Thank you, Mr. Speaker.

**Mr. Speaker:** The hon. member for Scarborough Centre.

**Mr. Moffatt:** Now for teacher control.

**Mr. Drea:** Mr. Speaker, I rise in support of the legislation proposed by the—

**Mr. Deans:** Tell us about the travel agencies.

**Mr. Drea:** —Minister of Education (Mr. Wells) this morning. I think there are only two salient points to be considered. The first is that the Education Relations Commission has brought down very clearly that there is a situation where the educational programmes, educational opportunity and indeed the educational standing of approximately 140,000 high school students in Metropolitan Toronto, will be jeopardized unless there is a return to normal instruction in the school system; and quite frankly, since that report now is almost a week old, I would say as rapidly as possible.

Secondly, there is no possibility of a negotiated settlement.

**Mr. Deans:** They didn't say that.

**Mr. Drea:** The minister said it, and that is who I am quoting, the minister.

**Mr. Deans:** They didn't, and he didn't say that.

**Mr. Drea:** He certainly said this morning there is no prospect of a negotiated settlement of this dispute in the immediate future.

**Mr. Deans:** That is not what the member said.

**Mr. Drea:** That's what I just said.

**Mr. Deans:** I wish he would be more clear.

**Mr. Drea:** Look, I am not going to be—

**Mr. Speaker:** Order please.

**Mr. Drea:** The member is from Hamilton. I am not going to get picky with him today; now stay out of this.

**Mr. Deans:** There is the first truthful thing he has said since he stood up.

**Mr. Speaker:** Order, please. Will the hon. member return to the principle of the bill.

**Mr. Drea:** Mr. Speaker those are the two salient points. The educational opportunities of 140,000 high school students are in substantial jeopardy and there is no prospect, immediate or long-term, of a negotiated settlement.

**Mr. Davidson:** According to you.

**Mr. Drea:** Anyone who does not believe this, I suggest is putting a very unfair mantle upon both sides in the dispute. Throughout the dispute, the OSSTF and the various boards of education, or the Metro board, whichever you want to refer to, have made it quite plain they did not want compulsory arbitration. They have always said—and I believe quite honestly—that they have worked toward a negotiated settlement.

Unfortunately, time has run out and that is confirmed by the Education Relations Commission. Therefore, the only alternative—and every party in this House today agrees with it—the alternative is the schools must reopen and must reopen immediately. Therefore, Mr. Speaker, I would suggest to you that the legislation introduced today by the Minister of Education should be passed extremely expeditiously. We are already at 3:55 p.m. on Thursday afternoon.

**Mr. Foulds:** Very good.

**Mr. Drea:** I would very much hate to see a debate continue on through Thursday night



and into Friday morning; perhaps into Monday.

**Mr. Deans:** Actually you are wrong again; we are four minutes to. It is amazing; you can't even count time.

**Mr. Drea:** Because we are playing with the educational opportunities of a great many thousands of young people.

It has been mentioned today that the action that will be taken by this House in legislating a return to work spells the death of Bill 100. I think that is an extremely pessimistic view. I think that Bill 100 is just as good a bill today as it was last spring and summer when it was debated and passed in this House. I do not feel that because there was a strike in one particular locality where time ran out, that it means that Bill 100 did not achieve its purpose across this province.

Neither do I feel that the introduction of this legislation today will make compulsory legislation binding in each and every dispute. I do not for the very simple reason that if it is going to be the attitude that compulsory arbitration automatically be imposed on every one of the other disputes that are either now in progress or being threatened then what you are saying is that one of the two sides in those disputes is not going to bargain in good faith because the time will run out and we will have to legislate them back. I for one feel that is far too pessimistic a view.

**Mr. Deans:** I am saying that you never seek other alternatives than compulsory arbitration. That is the easiest route and that is all you ever look for.

**Mr. Speaker:** Will the hon. member for Scarborough Centre continue.

**Mr. Drea:** Mr. Speaker, for 59 days, or 36 or 37 working days—whatever way you want to take it, the duration of this shutdown of the high schools in Metropolitan Toronto—the Minister of Education and this government have considered every other alternative there is. The simple fact of life is that time has run out. If this was day five—if the schools had been closed for five teaching days—then I would agree with some of the positions put forward that this is premature and that negotiations might prevail. But negotiations are not going to prevail. They have been stretched to the very limit. They have been stretched beyond the ability—and I say this in all fairness to both sides—to come back now and within a very brief period of time, between now and Monday,

reach a negotiated settlement. Surely that's asking for the moon.

**Mr. Deans:** Nobody suggested that was possible.

**Mr. Drea:** Then the only alternative is to legislate a return to work—an end of the lockout in two of the systems and a return to work by those on strike in the other four—and that school commence at 8 o'clock or 9 o'clock on Monday morning when it is supposed to; that is simple.

**Mr. Deans:** We agree. We agree now with what you said.

**Mr. Drea:** That is what I cannot understand.

**Mr. Deans:** We have done that now.

**Mr. Drea:** I cannot understand this. Why the lengthy debate?

**Mr. Deans:** Well, sit down then.  
[4:00]

**Mr. Drea:** No, I don't want to sit down and I will tell the member why I don't want to sit down because I don't understand it. I want to explain to my constituents exactly why you people are acting the way you do.

**Mr. Deans:** You won't be able to because you don't understand.

**Mr. Drea:** I don't want to have to inject further bitterness into this. Two years ago I spoke in this House when the first of these considerations came up. It was long before the York stoppage, just when it was being contemplated. I talked about the fact that the last thing any of us wanted in an educational system was bitterness and frustration and a lot of other things. In 1974 we discussed the return to work in the York regional dispute, and I am going to read some of those remarks a little bit later on.

**Mr. Deans:** Not to me you are not.

**Mr. Drea:** I said that the last thing we wanted was frustration and bitterness. I suggest to my friend just one picture in a newspaper this morning—and I am not taking any sides—indicates to me there is an enormous amount of bitterness and frustration in the school system that's going to be awfully hard to live down. I suggest that the previous speaker, the member for St. George (Mrs. Campbell), may have touched upon a very sensitive and a very significant point in all of this, that just a return to work and a return of normal operations in the school system is

only the beginning. There is a great deal of bitterness out there.

It is all very well to suggest that the media should be censored. A government does not censor the media. We live in a free country and the media are perfectly entitled, whether we agree with it or we disagree with it, to bring certain points to the fore. Nonetheless, I think it has to be recognized, particularly in Metropolitan Toronto, that there is a tremendous tide of resentment out there and that tremendous tide of resentment has now become part of the environmental situation. Students are going to find it at home where there is resentment and they are going to find it in school where there is resentment. I suggest that in the long run that is an awful burden for an educational system to have to assume.

As someone who has not only students but teachers directly involved in this, I am the last one who is going to bring any rancour or any more bitterness into this. It would be very easy to blame people. It would be very easy to blame statements, it would be very easy to blame positions; but we are beyond that. Time has run out.

I suggest that now is the time to be positive. I don't think, as I said before, that this is the death of Bill 100 and that this is the automatic introduction of compulsory arbitration into every single dispute.

After all, Bill 100 contemplated that it might fail, and I think that's why it is a very good bill. It contemplated that it did not have all the answers to the economic relationship between the teachers and the boards of education in this province. Bill 100 didn't promise a wonderland out there. It didn't promise an easy, simple solution to every dispute. What it did do, and I think is still doing, is it provided an orderly, stable method of collective bargaining.

And it went a little bit beyond that. It recognized that in this above all, in the essential services field, there is the time factor where time runs out. Bill 100 provided a mechanism through the Education Relations Commission to determine this exactly, in an impartial way.

Those who were in the last parliament will recall that we have been recalled here before for school disputes and there wasn't an impartial way of really finding out if time had run out. Bill 100 provided that. It provided an orderly mechanism, and in that regard Bill 100 has certainly worked.

I don't regard the failure of Bill 100 in this case to produce a negotiated settlement within the mechanisms provided in it as the

death knell of the ability to total collective bargaining in essential services in this province.

Bill 100 never really contemplated other essential services. That was another part of it. It contemplated the educational system and the particular and peculiar specialization and relationship of the teacher, the student, the board of education and the educational process. As such, I regard it as still intact and still extremely viable.

It is significant that one of the objections is sending back people to work without a basic increase or a floor from which an arbitrator can move forward—presumably forward; it's never mentioned that it could be forward or backward, but in our time it's always forward.

I draw to the members' attention that in similar situations—and it did not involve teachers, but it involved something as significant to the life of the total community as the high school strike in Metropolitan Toronto—the NDP in British Columbia legislated the pulp and paper workers and others back to work and there was no floor for an arbitrator to go on. That step wasn't taken very lightly out there because the pulp and paper dispute, which is nationwide, had intense ramifications across this country. Nonetheless, in something as significant as that and as recent as that, there was no floor, no built-in floor for the arbitrator from which he could go on.

I suggest to the members that the first time in this province when we introduced compulsory arbitration to legislate people in the private sector back to work—those in the elevator construction industry—once again it was a return to work, it was compulsory arbitration and there was no floor, no base settlement by the government from which the arbitrator went on. So this is not a precedent. The precedents are not only here in this Legislature earlier, but in other legislatures across this country.

I suggest to the House in this regard that the Minister of Education has done everything that is humanly possible to stimulate, to hasten and to try to obtain a negotiated settlement. I think it should be brought to public attention that the Minister of Education is not the employer in this case. Sometimes in disputes of this kind where resentments become very deep and very bitter, things such as demarcation lines between the authority of the Minister of Education and those of boards of education are forgotten by the public. There has been intense pressure by a significant minority, or a significant



number of the public in this case, for the minister long before this not only to order back the teachers but to get rid of Bill 100 on the basis of something like, "I told you so." I think it is to the credit of this minister that he has acted as responsibly and with as much integrity and with as much foresight in the case of this first test of Bill 100 as he did in the very prolonged discussions, debates, committee hearings and so forth that produced Bill 100 for this province.

Like the previous speaker, the member for St. George, I want to say to you that the thing that concerns me the most—and like her, I certainly hope it concerns every member of this House—is the emotional and the intellectual ramifications of this strike upon the individual student and upon the individual teacher.

Back on Dec. 12, 1973, there was a very interesting dialogue between myself and the then leader of the New Democratic Party, who is now the Leader of the Opposition (Mr. Lewis). It's on page 7125 of Hansard:

Mr. Drea: And once there is a strike in an industry, believe me, nothing is ever the same again in terms of human relations.

Mr. Lewis: That could be a very useful learning experience, as a matter of fact.

Mr. Drea: It may be a very interesting learning experience, but I don't want little kids to find out firsthand about the class struggle and what happens when they get mixed up in things.

Interjections by hon. members.

Mr. Drea: They can find out when they are 18, or 19, or 20. That is one of the privileges we ought to leave for a little while.

Mr. Speaker: Order.

Mr. Lewis: The kids who walked out in support of their teachers in Northumberland and Durham were learning something about the way society works. It was a useful thing for kids to learn.

A year later, Mr. Speaker, on March 13, 1974—not a year later, in the next session, page 297.

Mr. Foulds: Which volume?

Mr. Drea: If you want it for the record, volume 1. I think the member for Port Arthur will remember; I think he and I were discussing this. On page 297:

Mr. Drea: I regret that I didn't hear anybody today, but I understand that the magic words were not uttered today. I'm still floored from December, because the proposition was put forward at that time that a strike is part of the learning process and it will benefit the children.

Interjections.

Mr. Drea: I would suggest that on the basis—would the NDP members like me to

read some of the replies from their party? We can drag this out. No, I don't think they do. I don't think they do.

I don't want to stand here in 1976 and say "I told you so." I am one of the people in this party who publicly supported the minister all the way down the line with Bill 100 and I support him in what he is doing today. I am not interested in saying, "I told you so." What I am interested in is that the time has come where people have to put aside a little bit of this ideology and a little bit of this attitude that "the strike is part of the learning experience," and to take a realistic, objective, cold, hard look at the situation in Metropolitan Toronto where there are only two issues: One, is the children's education in jeopardy; and two, is there any possibility outside of compulsory arbitration for a settlement that will produce a return to normal school activity on Monday morning?

Mr. Foulds: And the answer to those questions is yes.

Mr. Renwick: Yes, there is.

Mr. Drea: The answer to No. 1 is yes; and the answer to No. 2 is no. And a combination of yes and no, Mr. Speaker, I suggest to you, means that there is no honest vote—

Mr. Samis: What is this, new math?

Mr. Drea: —except one in support of the bill put forward by the Minister of Education and by this government.

Mr. Foulds: On a point of order, Mr. Speaker.

Mr. Speaker: The hon. member will state his point of order.

Mr. Foulds: In the last sentence that the member has just spoken, he has impugned or imputed dishonesty to anyone who votes in conscience against the minister's bill.

Mr. Laughren: Shame.

Mr. Foulds: I think that is a charge that no member of this House should lay against any other member, and I am asking you to ask the member to withdraw it.

Ms. Gigantes: It should be withdrawn.

Mr. Kennedy: You are very edgy, very sensitive.

Mr. Speaker: The hon. member for Cornwall.

Mr. Samis: I will make my remarks fairly brief on this—

**Mr. Foulds:** Mr. Speaker, are you ruling on the point of order?

**Mr. Speaker:** The Chair didn't interpret that as you did, and I would think that the hon. member doesn't have a point of order at this time.

**Mr. Foulds:** He said there is no honest vote except in support of the minister.

**An hon. member:** Let's have Hansard read back.

**Mr. Drea:** I will say it again, Mr. Speaker, in reply to the point of order, I did not intend to impugn either the intellectual capacity or the personal integrity of the member for Port Arthur on this or any other issue. What I said was clearly intended to be that if one accepts that the answer to the first of the theses was yes and to the second was no, then the only honest vote that could be made was in support of the minister, and the member knew what I said.

**Mr. Foulds:** No, I am sorry, I didn't follow.

**Mr. Speaker:** The hon. member for Cornwall.

**Mr. Samis:** Mr. Speaker, now that you've arbitrated this dispute, I would like to speak in support of the position taken by our leader this morning, and not in purely partisan terms because I don't think it is all black and white in this issue. I think it's a difficult, complex situation and I think both sides in Toronto have to bear their share of the blame for the impasse that we are in, but I think what we have tried to do in very difficult circumstances is work out some solution to the problem.

There is a very real problem that the people of Toronto feel. We have tried to do something in our position to see that the need to reopen the schools and protect the educational interests of the students is answered. Our position answers that particular situation. We would favour having the teachers back in by legislation on Monday. All we are saying is, can the government go all the way in depriving them of their rights in this particular situation?

Our position is obviously a compromise, and any compromise is unsatisfactory at times, but for the member for St. George (Mrs. Campbell) to allege that the Leader of the Opposition (Mr. Lewis) was fatuous in his stand today I find a little difficult to accept.

**Mr. Nixon:** She didn't allege it, she said it.

**Mr. Samis:** Having been here just a little more than a year and having seen the Liberal Party in operation, I think the number of flip-flops I've seen taken by that party in various policies makes someone like Olga Korbut look like an Egyptian mummy in comparison.

That, may I suggest, is only in one year of observation, but there are other members here who have been here a full term and I would suggest the comparison could go beyond that.

**An hon. member:** Be nice, George.

**Mr. Samis:** Oh, I am trying to be.

**Mr. Warner:** Christmas is over.

**Mr. Samis:** What I am saying, and this is our position, is that it does answer the need of reopening the schools, but at the same time it does protect and preserve the collective bargaining process. It's a compromise. Obviously, it won't satisfy everybody, but it's a reasoned position in answer to a very difficult situation.

[4:15]

I think the government position in a sense is unfair because it is putting these people back to work and it is giving them the two-year clause. The member for Scarborough Centre (Mr. Drea) said there is no floor salary condition in previous compulsory arbitration situations. Does that make it right? May I suggest that the situation in BC did have some differences in terms of the overall economic impact of that strike and that situation and the whole bargaining process that preceded that decision. That's not to justify it, but there are some very obvious differences.

I don't consider the principle of collective bargaining to be so totally sacrosanct as not to be bereft of some possibility of limitation in emergency situations. But if you want to compromise, the compromise has to work both ways. You can't just ask the opposition to vote for compulsory arbitration and a return to work at the same time. There is no compromise on the government's side. It is very unfair to expect the opposition to totally compromise and sell out. Obviously, the third party feel quite at home with the government position.

I have the grave reservations that various members on this side in both parties have expressed about the question of the Anti-Inflation Board. I won't go into the constitutionality of the board, but it just strikes me that the act of the Treasurer (Mr. McKeough) yesterday in the impact on this



particular situation constitutes what could be the greatest abdication of constitutional authority in the history of Canada.

**An hon. member:** How do you know that?

**Mr. Samis:** If you look at the various stands taken by previous Premiers of this province and other provinces on the whole question of provincial autonomy, and if you see how the Treasurer of Ontario signed away our provincial autonomy yesterday totally to the federal government, it really makes you wonder.

**Mr. Ruston:** You voted for that.

**Mr. Norton:** What about Saskatchewan?

**Mr. Samis:** Obviously, there are differences of opinion across the country on this. To suggest that if we had an equivalent provincial board in any way—

**Mr. Ruston:** You are flip-flopping.

**Mr. Samis:** —is giving people an out, I think is not giving due credit to that particular position as adopted by the leader of the Liberal Party as well as our particular party.

I would like to add one other perspective, Mr. Speaker, and I would beg your indulgence in allowing me to make the comparison. This is not the only strike facing the people of Ontario and the government of Ontario. I happen to come from a community where we've had a strike for more than four months and a series of other strikes. Let me make a few comparisons with the strikes in the pulp and paper industry. Really it's not a strike and it shouldn't even be dignified by that. It's a lockout by the company and the other companies involved.

Let's make a little comparison. This particular strike affects over a dozen communities in southern, eastern and northern Ontario. This particular strike involved more than 10,000 employees who have been out on strike. They haven't been out for 38 days. They have been out in the case of Cornwall for more than four months and in the case in some of the northern communities more than five months. There has been a clear-cut case in this particular strike situation of bad-faith bargaining by one of the two sides, of which I would think in all fairness we can't accuse either side in this particular situation—maybe lapses but not a general policy of bad-faith bargaining.

Look at the impact of the two strikes. Compare this Metro Toronto strike with the pulp and paper strike. You start off with a

situation, for example, where the wages initially are much lower among the employees versus the teachers.

There is no strike pay whatsoever involved for these men who are out on strike. I reiterate, that they have been out four to five months. They didn't get 40 per cent or 20 per cent or \$15 a day. They didn't get a bloody thing. They had to stand up and fight for their strike and their rights, and they have been paying through the nose. No welfare, no UIC. They're not at the stage of cutting out luxuries or goodies or trips or anything of that sort. They're at the stage of whether they will be able to have meat on the table for the next meal or whether they will be able to pay for basic medicine. That's the stage these people are at.

I look at these two strikes—and I emphasize the point that I was a teacher—and I see what the government is doing to try to solve this one. I do give them credit, they're doing something, whether we agree with it or not. I contrast that with what they're doing in the pulp and paper strike. I make those comparisons as to blame, length, impact and cost.

My only comment is that I wish the hell the government would do as much and get as deeply involved in settling the pulp and paper strike as they are in this one; obviously not through the same method, but with the same degree of involvement, because the pulp and paper strike is hurting people far more than this one. Thank you.

**Hon. B. Stephenson:** On a point of order, Mr. Speaker.

**Mr. Speaker:** Will the hon. minister state her point of order?

**Hon. B. Stephenson:** I cannot let the last speaker's remarks pass without remarking that it is not a lockout in the pulp and paper industry. It is a strike.

**Mr. Samis:** That is not a point of order.

**Hon. B. Stephenson:** I would remind him that at least five of the locals within the last week have rejected, by vote, the last offer of the companies with whom they were negotiating. It's not a lockout.

**Mr. Deans:** You already said that.

**Mr. Samis:** Mr. Speaker, very briefly, may I say to the minister that I'm not trying to allege she hasn't done anything. All I'm saying is that not enough has been done and, to me, a Minister of Labour should settle some things.

**Mr. Speaker:** Order, please. The hon. member did not have a point of order. The hon. member for London North.

**Mr. Shore:** Mr. Speaker, I will keep my remarks to a minimum, although I will say I don't quite agree with the second previous speaker, who is walking out of the House just now, when he suggests that time is of the greatest importance, that because it's 4:05 we should make a decision in a hurry. It seems to me that perhaps we should have been considering that as early as Nov. 12. I don't think another hour or two is going to hurt anybody and I hope the hon. member will recognize that.

I think one could become very cynical at times to understand why we're here today. There is no question in my mind that this is a serious matter and that it's affecting the young people of Metropolitan Toronto. I must also say that the decisions we make here indirectly are going to affect the young people throughout Ontario.

I believe, however, that this bill has to be supported. I believe it's a compromise. With the greatest of respect I don't believe, as—and I'm sure the Minister of Education (Mr. Wells) deserves all the marks in the world for integrity and hard work—but I don't think he deserves all the marks that were alluded to this morning for a sincere effort in trying to solve the problem. I don't agree with that.

Without getting into the aspect of debating Bill 100—and there is much that can be debated on that—I don't believe one had to be too imaginative to realize what would happen once the Anti-Inflation Board came down with its rulings and once this government made the decision—and we'll probably be discussing at some future time the constitutionality and all kinds of other legal aspects of that decision—which I think is the wrong one, to join with the federal government.

Once that decision was made, I think it became pretty apparent, whether or not the government wants to accept it, that Bill 100 could not function in the normal terms in which it was expected to function; we did not have to wait until Jan. 14, 15 or 16 to recognize that. It just seems to me that that became very clear, particularly if we believe in the process of negotiations—and certainly we should—and before we prorogued in December, at least, we should have recognized that nothing better was going to come of that and we wouldn't have had to be here now. I suggest, therefore, that there is nothing that the government has anything to

be proud of in that respect. Once we recognized that, we also would have recognized that the whole process was in partial jeopardy.

The government could well have been proud, however, in my opinion, had the minister and the Premier stated to the boards of education and the leaders, as our leader has stated: "Look at the circumstances. The circumstances have changed. The circumstances are not the same. We believe in this Anti-Inflation Board and we're going to follow it. Let's not debate that at this moment, but the circumstances have changed."

Had they, in their wisdom, and I think good judgement, gone to meetings starting Nov. 12 and continuing every day right up until today, they might have been able to do something at least to recognize that there was a circumstantial change.

All I'm saying is that we are supporting this bill. We believe there has been some damage done to the students but I suggest there could have been a lot less damage had the government taken its position seriously at the time that it should have done so.

**Hon. Mr. Meen:** Mr. Speaker, it was roughly a year ago when I, as a member of this Legislature, was defending the bill as we knew it then, Bill 274, which removed any vestige of a right to strike in the teaching profession. I felt very strongly at that time that the teaching profession should not enjoy the luxury of the strike weapon where the educational process might be put in jeopardy. Subsequent to that, of course, as we all know, and we have been talking about it for some hours now, Bill 100 replaced Bill 274 and took a different tack altogether, imposing as it does a whole series of procedures and events which must occur one after another before one eventually gets to the stage where the strike, the concerted act of withdrawal of services could take place.

I think it fair to say that it was made abundantly clear by the Minister of Education (Mr. Wells) at that time, and by many of us, that we expected the bargaining process that would go on up to the point of, and probably following any strike action, would have to be responsible—responsible action by the representatives of the teachers involved and responsible action on behalf of the boards of education.

I must tell the House, Mr. Speaker, that it came to my attention as early as July of last year—that makes it six months ago now—as early as July that there were people saying



there was just going to be a strike, that it was inevitable.

Now I am not going to stand in my place today and suggest that that was a deliberate attempt by either of the parties to take the process right through to the 37-day period we have just seen. Or whether, on the other hand, it was more a form of defeatism on the part of the parties, or some of them, that regardless of the various steps in this mechanism that had been built into the process by Bill 10, all of those factors would still lead us down to the inevitable position of a strike. All I know is, as we all know, that we did see a strike come about.

We anticipated the possibility of a strike with the appointment of the Ontario Education Relations Commission and instructed them to advise us when they considered that any further continuation of the use of the strike weapon would be to the irreparable prejudice and damage of the students.

Mr. Speaker, they have now told us that. It is essential that we get the educational process back to shape. And I am pleased to see that all parties have recognized that this is the case.

I think in the last two or three weeks the views of at least my constituents—and I suspect that it is far more widespread than just that—seem to have polarized. Recently I have been in receipt of a number of telegrams, a host of letters and scores of telephone calls. I suppose it is also fair to say that some of those people who communicated with me have urged that we do nothing. Let the teachers freeze, so to speak.

But we did not feel that was the way to go. I think that all members here have concluded that in the interests of the students—since their interests are paramount in this—that we must legislate the teachers back. Indeed, I know there are some teachers who have spoken to me as recently as today, but over the last few weeks, who have been urging that course of action too.

There have been some who have suggested, though, that by going this route we are caving in; and I am suggesting that that really is not the case. I think the legislation proposed by my colleague is very firm legislation. There will be no more professional development days for the balance of this year. That gets, as I understand it, at least another 10 days or so of active teaching. That is equivalent to two full weeks.

I think that all the students—certainly all the conscientious students—and all the con-

scientious teachers are going to welcome that. They are going to consider that these are important days and it is imperative that the time be caught up. The legislation is going to get things back in time and I am confident that it will get it back in time to salvage the year for all the students.

[4:30]

There is one other point too you must recognize, Mr. Speaker, and that is that we are proposing this for a two-year term. There has been some suggestion that perhaps it should only be for one year. I suggest to you that the parties themselves were bargaining on the basis of a two-year term and it was only the latest offer from the board which was for a one-year term at a little over 24 per cent. It seems to me it is pretty obvious that a two-year term would carry with it a great deal of stability and would be welcomed by everyone. I think when the teachers' representatives have had a chance to resolve the issue over the next 30 days with the arbitrator and have been to the AIB they too will be satisfied that they have labour peace for two years and not just one.

When we recognize that they would have to start as early as a couple of weeks from now, perhaps earlier than that, with next year's negotiations if we were to legislate this on a one-year basis, we can see how seemingly futile this would appear to so many of us who would see as close at hand as next September another strike looming on the horizon, and we just don't want that. Two years is a very reasonable period of time for this legislation; and as I have emphasized, it happens to coincide with the period the teachers themselves and the boards were bargaining for in the first place.

In closing, I just want to say that I am heartened by the reaction I have heard today and I sincerely hope, and indeed I expect, that the teachers and the students, once this is history and they get down to work on Monday, will get right in there and will make up for the lost time before the end of the year so that the students will not have been prejudiced one iota in their learning experience.

**Mr. Laughren:** I rise in opposition to this bill which will impose compulsory arbitration and legislate the teachers in Metropolitan Toronto back to the classrooms.

I think that this step by the government looks attractive in the short run, and indeed it probably is, but I think that in the long run it will do more harm than it will good.

I know the short-run arguments that collective bargaining has ground to an impasse and that the students' education is in jeopardy, and I partially agree with that. But I would ask you, Mr. Speaker, to ask yourself what kind of educational system do we have where an interruption of two months places the educational career of the student in jeopardy? I would ask you too what kind of educational system we have where we have young people, young adults who have spent nine, 10, 11 or 12 years in the system and who are indeed young adults—as a matter of fact, most people seem to be mainly concerned about those people who are going on into post-secondary education—but what kind of education is it when those people are so dependent upon their teachers that they cannot pursue studies on their own for a relatively short period of time?

I have always thought that a secondary school education was supposed to prepare students for a post-secondary education. As a matter of fact, it is a small percentage of students—less than half, certainly—who actually do go on into post-secondary education. I never thought that a secondary school education was to give students a predetermined package of information which would allow them to cope with life. I have never believed that and I don't believe it here and now.

I know that the utterances of the media and by people here today would lead people to believe that was the purpose of our secondary school system. I happen to think that students are more resilient than we give them credit for. I think they have a greater capacity to be challenged than the system presently challenges them and I think that should be kept in mind.

I have taught at the secondary level and at the post-secondary level and I have never been impressed by the theory that there was a set body of knowledge that had to be imparted to students while they were in the secondary system. I don't believe that is true. I think it is the educational experience that really is the key to whether or not one has successfully educated people in the secondary system, not a set body of knowledge. I can tell you, Mr. Speaker, that at the post-secondary level it is certainly the capacity to learn and the will to learn and the inquiring mind that determines success or failure at that level of an academic career. The set body of knowledge is not nearly as important as many other factors which I think are being ignored by the government.

I find it passing strange that the government moves to save the academic careers of students after 38 days when they have had 32 years to remove the influences of poverty from the ability to learn for students in this province. Is there anyone who would deny that there is a very direct relationship between the economic conditions in the home and the success of those people in our educational system? The government hasn't concerned themselves with that in 32 years, but in 38 days they literally froth at the mouth because of a strike.

Mr. Speaker, it is an absurd solution to a very serious problem. We know that the teachers in Ontario are dissatisfied, not just in Metropolitan Toronto. There are problems on the horizon elsewhere in the province, and maybe the government should start to ask itself why it is that there is this dissatisfaction. Is it simply a case of not being able to live on the salaries that they are earning now in the educational system? I don't think that's the reason. It is not the reason at all.

This government will not address itself to the more comprehensive problem. Secondary school teaching is a very difficult life. It is a very difficult job. I am sure I have heard the Minister of Education (Mr. Wells) say himself that teaching in our school system is very difficult. I do not believe that either the legislation that forces people back to work or legislation that imposes a settlement is the answer. Neither one is the answer.

I wonder if this government really understands the trauma of a strike, what it is that strikers go through when it is a prolonged strike. The problems of finances, the family problems, the whole question of security of the family unit is at stake in a prolonged strike and strikers do not prolong a strike unduly.

A couple of minutes ago the member for York East, the Minister of Revenue for this province (Mr. Meen), referred to a strike as being a luxury. Well, I wonder when was the last time the Minister of Revenue was on strike and enjoyed the luxury of living either on strike pay or no pay at all; and it's obvious that he never has.

I think if the government thinks that the strike was about to be prolonged unduly, they should ask themselves why. Was it not because of the noises this government has made now for many a week that they were about to legislate the teachers back? That, of course, in itself is destructive to the collective bargaining process. If the teachers and the boards realized that there was no



legislation around the corner, I would suggest the dispute would be resolved very quickly.

As a matter of fact, just this morning the chairman of the Metro Toronto board indicated that a settlement was possible. We know that the two sides are not that far apart but if there is going to be legislation imposed on them momentarily, there is very little incentive to settle.

I would ask the minister what he thinks the effect of this legislation is going to be on those other disputes across the province, disputes that are just coming up now? There is Kirkland Lake, Sault Ste. Marie, Algoma; and probably others that I am not aware of. I would ask the Minister of Education what he thinks the impact of this legislation is going to be on those disputes? If he thinks that it is not going to have any effect, I would suggest he is sadly mistaken.

What happens if a strike elsewhere goes 38 days? What if it goes 40 days? What if it goes 42 days? What does that say about the government's concern for those students as opposed to the students in Metro? This is setting a very bad precedent. The minister is laying a foundation for Bill 100 that is on shifting sand if not quicksand.

I think he is going to do irreparable damage to Bill 100. I think that Bill 100 is not a bad bill, and there was very real effort in that bill to make things work, but I think that he has given up too soon. There was no limit in the bill on the length of a dispute or a lockout or strike, and what in effect he is doing now is establishing a limit. It's obvious one couldn't put a limit in the bill, that would be ludicrous. But now the government doing the same thing, in effect, by legislating the Metro teachers back after 38 days.

I am opposed to this bill for two reasons. One, it legislates people back to work; and two, it imposes compulsory arbitration upon them.

I would say that collective bargaining is in enough trouble in this country without any assistance from the Ontario government. There is no other protection for workers other than collective bargaining. One need only listen to the utterances of the Minister of Labour in Ontario (B. Stephenson) to know that the workers in Ontario have precious little protection from the government. Now we see this further erosion of collective bargaining in the province.

I'm saying to the government that it should not be legislating these teachers back and it should not be imposing compulsory arbitration upon them at this time. It's no

accident that the Anti-Inflation Board is making rulings now that are unpredictable, and I would suggest terribly unfair. Do we really think, considering the fact that in the last 10 years the bottom 20 per cent of income earners in Ontario earn less now than they did 10 years ago, that this is the time—I'm not talking to the Minister of Education now but to the whole principle of the Anti-Inflation Board—that this is the time to rule on that bottom 20 per cent? That's what we call distorting the distribution of income, and a pox on the federal Liberals for that.

I would say, given the rulings of the Anti-Inflation Board, given what it does to collective bargaining and given the lack of protection for our workers in the Province of Ontario, it's hard to stomach the obsequious subservience of this government to the Anti-Inflation Board. We know that the arbitration in this case is going to go to the Anti-Inflation Board and that they'll be the final judge.

In closing, I stand, as I said at the beginning, adamantly opposed to this bill because it imposes compulsory arbitration and because it legislates working people back to the job.

**Mr. Bullbrook:** I want to begin by reminding myself that the purpose of second reading of a statute is to discuss the principle of the bill. I understand the principle of this legislation to be that we will deprive the Metropolitan Toronto secondary school teachers of the right to strike that we gave them under Bill 100. I understand that, at least on a temporary basis, we are legislating—since the minister negatives by the shaking of his head—at least on a temporary basis we are depriving them of the right to strike or at least to continue a legal strike, a right we had given them under Bill 100. Would that be more correct? I'm wondering if I might address the minister through the Chair.

**Hon. Mr. Wells:** To open the schools; to take the necessary steps to open the schools.

**Mr. Bullbrook:** To open the schools. Well then, perhaps realizing that the minister doesn't want dialogue, to open the schools and direct the teachers by law to undertake their professional responsibilities. I characterize that, perhaps improperly, as depriving them of the right to withhold their services, which I characterize, perhaps improperly, as the right to strike.

The point I want to make here is the obvious anomaly that should come to the attention of every member of this House, that is that the teachers in Metropolitan Toronto will be at least on a temporary basis de-

prived of what we considered a fundamental legal right that they had under Bill 100; and yet at the same time their colleagues in their professional responsibility throughout the remainder of Ontario will continue to have the so-called right to strike.

The point I want to make to you, Mr. Speaker, is this isn't an amendment to Bill 100. The fact of the matter is, we had better understand now that eventually we are going to have to come to grips with the extension of Bill 100 throughout the Province of Ontario, because either there is essentiality in their professional undertakings or there isn't essentiality.

[4:45]

I have had colleagues of mine in my caucus talk to me in the past relative to Bill 100, that essentiality of the provision of education to our youngsters is a question of time. It's really not going to hurt them if they only miss three days' school, or five weeks in Windsor. The fact of the matter is, we've come to the conclusion today that at some time we must make an arbitrary decision as to when students are being adversely affected.

I want to say, as the parent of a grade 13 student at the present time on the semester system in the city of Sarnia, I don't know how she could possibly qualify in any way for admission to post-secondary education in the Province of Ontario, having missed that length of time on the semester system and having been deprived of that right to know under the semester system.

The Education Relations Commission says that that now, I suppose, is in jeopardy. The fact is, it was in jeopardy from the very beginning. We who attempt to rationalize our responsibility otherwise do ourselves a great injustice; but more important, we do them an injustice.

I want for a moment to talk to my colleagues in the New Democratic Party and try to explain to them why I cannot accept their reasoned amendment. I compliment them on the mental gymnastics that they must have gone through. There must have been significant blood on the floor of that caucus room yesterday, I am absolutely certain of that. But on the other hand—

**Mr. Renwick:** Absolutely none.

**Mr. Bullbrook:** —it shows a great ingenuity and a great integrity of purpose. I am not going to adopt the words of the Premier of Ontario (Mr. Davis) that they try to come down on both sides of the issue. I don't think that is the motivation. It is a happy collateral

circumstance that they do come down on both sides of the issue, but that I truly believe is something that happened not as a result of their intention.

The fact is that it sounds good to speak for a half an hour about the sanctity of the collective bargaining process, which, perhaps improperly, I understand to be that you are entitled as a matter of right to withhold your services from your employer and the employer is entitled as a matter of right to withhold any payment for those services. The problem that we have, of course, in this particular situation, and in most public-sector collective bargaining situations, is that there is a third party involved—namely, the public; and so directly in this one, the students. But there is that reciprocity.

I couldn't focus on the difficulty until the hon. member for Wentworth (Mr. Deans) spoke about the NDP amendment. He used the phrase, quite properly, "the resolution of the problem." The essential problem here is negotiation. The essential problem that faces the teachers, as I understand the problem to be, is the question of their remuneration and their benefits, and the other obligations that they have from a professional point of view. Although we put them back to work we don't resolve that problem, and I see—perhaps in error—but I see from the little knowledge I have had of the collective bargaining process, that there is a certain fracturing or imbalance there. It's a precedent I certainly wouldn't want to see ever involved in the private sector. I surely wouldn't want to say to a union, "Go back, and settle while you are working," because were I management I would just wring my hands with joy for that type of proposition. Because I would never settle in good faith, may I tell you. I would never settle in good faith in that situation.

**Hon. Mr. Wells:** That's what Barrett said.

**Mr. Bullbrook:** One has to dispose oneself, I think a little too generously and charitably, to the school boards of Metropolitan Toronto, to think that they might come to an equitable and just conclusion in those circumstances, when really the problem has been solved by the Legislature of Ontario. That's why I see the necessity, if the government is going to put the teachers back to work, there must be some attempt at an objective evaluation of what remuneration and other rights and duties are to be concurrent with that return to work. That brings me of course to the essential and from my point of view, the



most fundamental aspect of our discussion, because we are not, Mr. Speaker, doing that.

The NDP amendment is forthright in this respect; it doesn't attempt to do it. But we attempt to do it. We go through a charade of appointing under this statute a compulsory arbitrator who has no ultimate power; that's the charade. That's why for 10 weeks I've been vitally interested, not only from the point of view of the teachers, but from the point of view of the police, from the point of view of the firemen, from the point of view of the municipal employees.

More important—and I think the Leader of the Opposition (Mr. Lewis) touched upon this three months ago—more important from the point of view of the public servants of the Province of Ontario, the people who must directly negotiate with this government, on behalf of the people of Ontario, for their just reward, because of an agreement executed two days ago we now abdicate that responsibility in connection with all the people who serve us—"we" being the people of Ontario.

We did it through an agreement that we entered into two days ago with the government of Canada, executed now by the Treasurer of Ontario (Mr. McKeough) which in effect says—and the public must realize this and the teaching profession better realize this—that no matter what the arbitrator says, it will be Jean-Luc Pepin at Ottawa who decides what the teachers of the Province of Ontario eventually and the teachers of Metropolitan Toronto immediately will receive for their remuneration. Yet it's our constitutional responsibility under sections 92 and 93 of the British North America Act that we make those decisions, that we delegate those powers, that we retain control and, most of all, that we accept the responsibility.

Just think of the absolute chicanery of what we're doing. We're saying to teachers, "You've got to go back to work"; and we're saying, "We'll go through a charade of compulsory arbitration, but eventually it will be Monsieur Trudeau and his men who will make the decision as to what you're paid." I'm not prepared to do that.

With the teachers, I say that we must have complementary legislation, we must have complementary administration; we must have supplementary legislation and supplementary administration. It's our responsibility so to do. We cannot abdicate that responsibility to Ottawa unless we want to say to Ottawa and the House of Commons, and to my colleague from Sarnia, let him undertake the responsibility of putting the teachers

back to work. If he's going to tell them what they're going to be paid, let him put them back to work. But I tell you, Mr. Speaker, if I have to do it, as I have to for the benefit of the students, I want to make sure that it is within my responsibility, that I retain that jurisdiction. That's all I've asked for, that's all I continue to ask for and I think that's the only reasonable thing. We can't have it both ways, but I'm very much worried about the whole question of the agreement itself.

We had some byplay this afternoon with our colleague, the member for Riverdale (Mr. Renwick), who is without a doubt—and I don't embarrass him I trust—a person of extremely great knowledge in matters generally of law and also in matters generally of the constitution and I know in very scattered—

**Mr. Singer:** Wait. Wait for the next line.

**Mr. Renwick:** I'll wait.

**Mr. Bullbrook:** —very scattered discussions that he feels more deeply I'm sure than I do about the matter, because he has given us the benefit of a letter that he wrote on Oct. 30, 1975, to the Attorney General (Mr. McMurtry) and on Oct. 30, 1975, he got an opinion from the Attorney General. It was interesting, of course, today in the question period, we asked for an opinion from the law officers of the Crown. We didn't ask for the opinion of the Attorney General. The Attorney General is a very good lawyer; I know him by reputation to be extremely capable counsel. I don't think he's a constitutional lawyer; no more than am I a constitutional lawyer. I sought advice on this matter from others much more knowledgeable than I. But as I look at that "Dear Jim" epistle, I must say I had to say to you, Mr. Speaker, on a point of order, I've never seen a legal opinion, even though my name is the same as his. I've never seen one come to me: "Dear Jim"; never. Not even the bill comes to me "Dear Jim." They just send it in the most dispassionate, objective fashion as lawyers always do.

**Mr. Renwick:** That's how we constitutional experts deal with each other.

**Mr. Singer:** So that's what you were doing this afternoon.

**Mr. Bullbrook:** I see. Isn't it marvellous? I want to say to the House when Lewis is romancing Davis and Renwick is romancing McMurtry, we really feel like the jilted third party over here. It's getting to be an almost

incestuous relationship between these two. I mean, who in his right mind a year ago could envisage a true establishment man like Darcy being part of a government that would pass that rent review legislation? Could anyone in his wildest mind think of Darcy doing that? Goodness gracious, I imagine the people in Chatham won't let him inside the city gates.

If I might digress for a moment, that rent review legislation has to be really something. I had 22 calls on Monday; 22 of them. They say to me, "Who do we complain to?" I said, "I don't know. Lorne hasn't appointed anybody as a rent review officer." I told every one of the 22 callers, "I want to bet you something. Whomever he appoints will be from Petrolia. He won't dare appoint somebody from Sarnia. He'll get one of those real knowledgeable urban persons from Petrolia to come in and tell us what the Sarnia rents should be."

I don't know what was going on this afternoon about the psychiatric hospital in Goderich. I didn't know Lorne was involved in that, either internally or externally. I had no idea; believe me I didn't.

**Mr. Reid:** He knows it from the inside out.

**Mr. Bullbrook:** He knows he has power in southwestern Ontario. There is no doubt about that. I thought it was just my bailiwick he ran. They gave him a testimonial dinner about a week ago and I read about it on my way back from a short vacation—an unduly short vacation, but I read about it. He was saying, he was "very proud of the growth of his riding to 117,000 people." I don't know whether that's a Freudian slip or not. He even included my riding with his riding.

**Mr. Eaton:** He looks after it for you.

**Mr. Bullbrook:** That's right, and I tell you, Mr. Speaker, he does one heck of a job. I won first by 1,200; then 6,000; then 8,000. If he keeps this up for me I'll break the 10,000 bracket. He's just great.

I want to stop and I haven't begun. My colleague, the member for Wilson Heights (Mr. Singer) is going to be more specific, but I'm going to say this, if I may. I believe the agreement to be illegal. The agreement is illegal. The best they can hope for is to rely on the peace, order and good government clause in a section of the British North America Act to legalize, in the most peripheral fashion, the signing of this agreement. I want to say that that is the only hope they'll have before a court—the only hope they'll

have. They'll rely on the national capital case.

I don't want to be dealing, as I might be, before the court of appeal in citing these, but let me say this: In the preamble to Bill C-73, the federal government in its great wisdom wrote as follows, if I may, Mr. Speaker:

Whereas the Parliament of Canada recognizes that inflation in Canada, at current levels is contrary to the interests of all Canadians and that the [and this is interesting] containment and reduction of inflation has become a matter of serious national concern.

What they were trying to do there, I believe, is attempt in a very peripheral or collateral fashion, as I say, to invoke the possibility of constitutional vires under the peace, order and good government clause.

But aside from an expansion of the matter from the point of view of case law, I want to say this: There has been an expansion, by decisions of the Supreme Court of Canada, of the right of the federal government under this section of the British North America Act to somewhat invade provincial powers. In the national capital case I speak of, they felt that that legislation was intra vires of the federal government to give it the right to expropriate at the national capital. But the key ingredient there, from the point of view of the court decision, is that in every decision on which the hon. Attorney General and his law officers rely, the provincial jurisdiction was at best concurrent. In essence, sir, I want to say, if I may, the pith and the substance of the legislation did not in any way invade the provincial jurisdiction. Here it does, without reservation; in the private sector it does without reservation.

[5:00]

But let me point this out to you, Mr. Speaker, if I may. Peace, order and good government for the sake of public awareness could be best exemplified by going to war. We declare war. And I tell you, when we declare war, what we don't do. We don't let Quebec opt out. We don't let Ontario opt in. We don't let Alberta opt out and let Nova Scotia opt in. But that is what this statute does.

If it is going to be peace, order and good government on which they rely, why do they put a section in that permits the provinces to opt in or opt out? How they are going to be able to validly argue that before the courts I don't understand.

But more important than that aspect of it, right in their statute, they exempt the pro-



vincial public sector. They exempted that sector from the application of the statute.

In effect what they are saying is: This is a national emergency and you can get in if you want to or get out if you want to, but also it is such a national emergency that no provincial jurisdiction, no municipal jurisdiction—for example, no fireman, no teacher—will be subject to this unless the province wants to make them subject to it.

I am going to quietly say this to you in my respectful opinion, as I said before, the best that they can hang their hat on is peace, order and good government and they are going to have to come up against those particular arguments—I trust very shortly by CUPE—because I trust somebody is going to take this matter to court and have the courts interpret it.

The second thing is this: the question of delegation. And the Attorney General in his “Dear Jim” letter says this isn’t a question of delegation. I want to read to you for a moment, Mr. Speaker, the covenant in the agreement. On page 4, section 2, of the agreement between the government of Canada and the government of the Province of Ontario it reads as follows:

Canada and the province hereby agree that the federal Act and the national guidelines shall apply to the provincial public sector.

Well, it is absolutely trite law that you can’t delegate your authority. What they tried to do is this; they tried to get around it. It has the Spencerian hand of Rendall Dick in this agreement, believe me it does.

Listen to this. This is a recital, and I want to tell you, as a lawyer, recitals are not taken into consideration in the interpretation of a document by the courts, but they decided that they would sneak this in:

And whereas it is understood that neither Canada nor the province shall be deemed by reason of having entered into this agreement to have surrendered or abandoned any of the powers, rights, privileges or authorities vested in it under the British North America Act, 1867, and any amendments thereto or to have impaired any of such powers, rights, privileges and authorities.

They put that in. What they are saying is: By the way, as we are going along here surrendering all our power—for example, the power to establish, the obligation to establish, the duty to establish, a just payment to the teachers of the Province of Ontario—while we are abdicating that, we are really

not abdicating it. That is what the recital says. But the fact of the matter is the section I read to you before is not an administrative section.

The third thing is this—may I just reinforce this? There is no equivocation in what I say. The body of case law—basically the Nova Scotia interdelegation case—but the body of case law is without impairment in this respect. You can’t delegate your authority. The federal people can’t give us their authority. The Province of Ontario cannot give its authority to the federal government.

It can be assimilated into a provincial statute. This is what I want understood if I can. If the government wants to do that which it feels it must do—and that is, not accept its responsibility—it is again absolutely paramount that it enact legislation and adopt, if it wishes, the general guidelines into a provincial statute and then appoint the Anti-Inflation Board in Ottawa to administer, and administer only, the provincial statute. The key word is “administer.” The government can’t give over to Pepin the right. All it can do is give him the ability to administer.

But the government hasn’t done that. What provokes me more than anything else, before I sit down, is the arrogance of this—more than anything else, Mr. Speaker, the arrogance of executing that document pursuant to an order in council. During the question period I asked, and you were here, I asked under what statutory authority was that order in council passed. My friend the House Leader said, “I will get it for you.” I still don’t have it, because it ain’t there.

**Mr. Singer:** Of course not.

**Mr. Bullbrook:** There is no statute. But I close in saying this—to the public, to the teachers, but more important to my colleagues here: This happens to be a parliamentary democracy, and we as a Legislature are part of a parliamentary system, and we don’t go around surrendering basic constitutional rights; we don’t go abdicating basic constitutional responsibilities, legal or otherwise.

Forget about whether the opinion given to me is correct or not. It is absolutely fundamental that the government understand that we are not in the United States of America. There are 125 of us, Mr. Speaker—you included—who have a responsibility to make a discussion available to the public, to decide whether we want to opt in or opt out. It was stupid of the federal government ever to put section 4 (3) into that Act. They never should. If it was a national emergency it was a

national emergency and they had an obligation to direct from Ottawa and not play footsie.

I record this: The arrogance of the Prime Minister of Canada to call the 10 Premiers on Thanksgiving afternoon as if it was some type of ad hoc arrangement, as if he was going to announce somebody was getting married, and to say to them, "Have some lunch. Here's what we are going to do."

Well I don't think you operate a co-operative federalism that way; I hope you don't. It causes me great concern that we acquiesce in this type of executive order. We are a legislature and we demand our right to legislate. The government should have come to us and said, "Now, here is what we feel is necessary." If it was a question of confidence, so be it. Nobody wants an election; obviously I don't. I don't know whether Lorne does or not, but obviously I don't.

**Mr. Stong:** No way.

**Mr. Bullbrook:** I ask that if it happens again—because I think the government is going to lose in court and it is going to have to come back here and give us our shot anyway—but I ask that if it happens again, if matters of this nature come up again, I ask all colleagues to recognize that it is our right to debate; it is our right to decide whether we want to administer.

It is very important. One other speaker—I don't recall, but it might have been the Leader of the Opposition (Mr. Lewis)—touched upon this. The reason we are able to supplement—

**Hon. Mr. Kerr:** I think this is out of order.

**Mr. Bullbrook:** Did you say I am out of order? I am sorry, did you say I was out of order? I am just about finished.

**Mr. Singer:** Who said that, the member for Mississauga South (Mr. Kennedy)? Was that the Minister of the Environment?

**Mr. Bullbrook:** I will only be about two minutes more. Why be offensive at the end of the speech? It is only at the beginning that you are offensive.

**Mr. Singer:** He used to have one of the justice portfolios for a while, didn't he?

**Mr. Bullbrook:** I am very serious about this. I am very serious in this respect, that if this ever happens again I invite, truly, the members of the cabinet to persuade the Premier of Ontario (Mr. Davis) and whoever

otherwise misguides him, to recognize that legally or not we should have the right to make a decision.

I want to close by saying this, so that the teachers understand and the public understand: We are better equipped than Ottawa to make a judgement as to what the teachers' salaries should be. Aside from the constitutional aspect of it, we are better equipped to tell municipal employees what they should get. We are better equipped to tell our firemen what they should have. Finally, we have the responsibility to do so.

**Hon. Mrs. Birch:** Mr. Speaker, I rise in support of the legislation to send the Metro Toronto secondary school teachers back to work on Monday. As you are aware, the riding of Scarborough East, which I represent, is within Metro and there have been about 30,000 students in Scarborough affected by this strike of some 1,800 teachers in the borough's 22 secondary schools.

I have had many letters and telephone calls from parents who have been distressed by the strike. I have had a number of letters as well, some of them considerably bitter, from teachers, and I believe that one of the most telling aspects of the mail is that all of the letters are emotional.

The teachers, however, were seldom explicit. Their letters range from a plea "not to promote paranoia in the pedagogue," and that is a quote, to a plea for me to accept responsibility. The parents, on the other hand, were much more exact. They wanted this Legislature to order the teachers back to their classrooms.

Mr. Speaker, I believe it is going to take an enormous quantity of goodwill on the part of all of the parties to ease the system back to where it should be. The young people were the ones with the most to lose in this strike, but they will fortunately be caught up in the rhythm of their school events. It will be up to the parents, the board members and the teachers to work toward a new spirit of co-operation. I know that the boards and many of the teachers are already devising ways to help students to catch up with the classes they have missed. Surely this attitude of helpfulness will assist in creating a more relaxed and less emotional atmosphere.

Mr. Speaker, it is the responsibility of this government to ensure that the education system is available to our young people. With this legislation, we have reaffirmed our responsibility to the students and to the taxpayers who pay the costs for these services.



**Mr. Germa:** Mr. Speaker, I rise to say a few words on Bill 1, An Act respecting the Metropolitan Toronto Boards of Education and Teachers Disputes. That is the title of this piece of legislation. I think it would be much better be entitled "Strike-breaking Legislation, Volume 5," or something like that, because this government in its antics during the past term has without doubt retarded the free collective bargaining process more than any government this province has seen in the past 50 years. Almost at the slightest provocation, this government will go through the routine of rhetoric and claptrap to find a scapegoat to pin the blame on for their inability to govern the Province of Ontario.

The problem we are faced with today is wider—much, much wider, Mr. Speaker—than the problem facing Metropolitan Toronto. We know, for instance, that various other school boards across the Province of Ontario are negotiating and are in positions to take votes and all of the information we have is that we are going to have a continuing series of disputes right across the province, not only in the educational field but in other fields as well.

There is a restructuring in society that has been going on over these past few years. Anyone who reads headlines in any newspaper in Canada, or in fact around the world, must understand that the pecking order as it prevailed over the past 50 or 100 years is being challenged. Lo and behold, whenever this government sees any of the groups trying to get out of their established place in the pecking order, it comes down hard on their necks. I am thinking in terms of the TTC subway operators who were forced back to work when they chose to try and better their role in life. I'm thinking also of the elevator construction workers who for no reason that I have yet been able to find out were forced back to work.

Certainly the government can dig up excuses. They can dig up excuses to substantiate any of the moves that they seem so inclined to make. But they are the true defenders of the establishment. The status quo must remain and this government, with the help of the party to my left, has been getting away with this type of legislation over the past four or five years. It's typical Tory legislation.

[5:15]

If one sits around here and listens long enough one eventually finds out how this government thinks. I was quite surprised to hear the Minister of Revenue (Mr. Meen)

who said, just 10 or 15 minutes ago that the right to strike was a luxury. What kind of claptrap is that? Does he not know how the right to strike was won in Canada, in North America, in fact right around the world? What was the cost, the human cost, in workers, people who have to live on wages? Luxury implies that it is something granted like a Christmas present. Well, this government, particularly this Tory government, has never granted anyone a luxury in their life as far as the wage earners are concerned. The right to strike was fought for and it was won, just as the teachers fought for and won the right to strike.

He also mentioned the iniquitous Bill 274, which made it illegal for teachers to strike. How many times have I seen the Minister of Education (Mr. Wells) on the boob tube telling the people of Ontario: "Well, if you don't give them the right to strike they're going to go on strike illegally anyway."

That's how much this government thinks about the bargaining process. If the government had not been threatened with illegal strikes in the educational sector, then Bill 100 would not be on the books. And it has no right to take credit that it granted the teachers the privilege in Bill 100. It had no other option because it was faced with illegality.

I would suggest to you, Mr. Speaker, that if this back-to-work legislation, this compulsion by this government, continues as it seems to have done in the past few years, the day will eventually come when even back-to-work legislation will be defied. There is even thought of that now within the Metropolitan Toronto school board dispute. In fact, resolutions have been passed by the OSSTF, and I understand that the head of the OSSTF is calling a vote to determine whether in fact they will accept this legislation once the government has forced it through the House, with the help of its kissin' cousins over there on my left.

**Mr. Bullbrook:** If he's doing that, that is arrogance of the worst kind. In other words he is suggesting that perhaps they won't abide by the law, is that it? And they wonder why they are in disrepute.

**Mr. Speaker:** Order. The hon. member for Sudbury.

**Mr. Germa:** The bill is deficient in very many forms, and I was interested to hear the member for Sarnia (Mr. Bullbrook) bring us up to date on the ramifications of handing over the teachers to the Anti-Inflation Board;

without any qualms whatsoever this government has seen fit to do that. They do it because they're abrogating their responsibility; and they've consistently done this to try and shift the blame on to some other person. I think this short-term solution for a very narrow sector of the economy is not in the best interests of the people of Ontario.

When Bill 100 was brought in—the minister brought it in, kicking and screaming—

**Hon. Mr. Wells:** Oh, no; no.

**Mr. Germa:** —it was evident right from the beginning it was the threats of the school teachers to do an illegal act which forced this government into bringing this legislation in—

**Hon. Mr. Wells:** Repetitious and wrong.

**Mr. Germa:** —and to elaborate—

**Mr. Martel:** The minister had to convince his own colleagues; they didn't want it.

**Mr. Germa:** —to identify how sincere the government was, in Bill 100, they made sure that it had written within it a self-destruct mechanism, so that our compulsory arbitration and back-to-work legislation was dictated within the elements of Bill 100. That is about as much faith as this government has in the free collective bargaining process. That would indicate to me that it has no faith in it whatsoever.

What this is doing to the bargaining process is eroding the true spirit of good-faith bargaining. As long as various groups, including school boards and including teachers, can rely on this government to come along and force an end to the dispute, then the government can rely on them not to come to a negotiated settlement.

The government also seems to think that the very fact of opening up the doors of the schoolroom is in fact going to open up the doors of education. I think it's quite evident to everyone here that we have a large group of embittered, beleaguered and disillusioned school teachers, and just by forcing them back into the classroom does not indicate to me that the government is in fact opening up the doors of education.

The destruction to the students, of course, has to receive consideration, but there is a body of opinion that believes that the point of no return has not yet been reached. Certainly, the board set up under Bill 100 made this recommendation, but there are other alternatives in order for a student to make up his school year. There is no law that I know

of which says the schools cannot run in the month of July, for instance, so that the period of panic really hasn't arrived as of this moment. If that is one of the motivating influences which brought this government to this decision, then I think it did not consider all the alternatives available.

**Hon. Mr. Davis:** Then why your amendment?

**Mr. Germa:** The amendment, I was coming to, Mr. Speaker—

**Hon. Mr. Kerr:** I think you really did have trouble in caucus.

**Mr. Germa:** I think the government should not misread, in the amendment, the position of the New Democratic Party.

**Hon. Mr. Davis:** Do you agree that the schools should open on Monday? That it is an urgent situation?

**Mr. Germa:** The amendment was trying to make better a bill which is totally unpalatable; that's exactly what the amendment was doing.

**Hon. Mr. Davis:** You can't have it both ways.

**Mr. Germa:** It was trying to make a thing palatable which we just couldn't swallow, and that's precisely what we are doing.

**Hon. Mr. Davis:** Well, you are choking over what you are doing.

**Mr. Germa:** The two principal clauses in the bill—

**Mr. McClellan:** The Premier should be choking too.

**Mr. Speaker:** Order, please. Could the hon. member continue without any interruption, please?

**Mr. Germa:** The two principal clauses in the bill, Mr. Speaker, are still not acceptable to the New Democratic Party. Compulsory back-to-work legislation is not acceptable to this party, and compulsory arbitration is not acceptable to this party.

**Hon. Mr. Handleman:** Just vote against it, don't amend it.

**An hon. member:** You've accepted it.

**Mr. Germa:** We have not accepted compulsory back-to-work legislation, as will be demonstrated when we vote at second reading.



**Mr. Nixon:** Oh yes, you have.

**Hon. Mr. Davis:** Oh yes, you have.

**Mr. Germa:** The New Democratic Party is opposing this legislation.

**Hon. Mr. Davis:** Your amendment says they've got to go back to work on Monday.

**Mr. Singer:** Mr. Speaker, I was quite fascinated in listening to the words of the hon. member for Sudbury (Mr. Germa), and I just wanted to refresh my memory as to what that reasoned amendment moved by the Leader of the Opposition (Mr. Lewis) said. It said, Mr. Speaker, "We want the schools to open on Monday."

**Hon. Mr. Davis:** That is compulsory.

**Mr. Singer:** Yes, and it's compulsory, and they have to be there. But it also said, "We are not going to arbitrate a pay solution; they are going to negotiate for an indefinite period." How does one tie that in in any way with the comments made by the hon. member for Sudbury or some of his other colleagues? How many ways do they think they can have it? Do we believe the leader, or do we believe the member for Sudbury, or do we believe the member for Riverdale (Mr. Renwick)? Which one?

**Mr. Renwick:** Wait until the vote.

**Mr. Singer:** It's very, very hard. I am going to get to it. All right, let me quickly get to the member for Riverdale; he is anxious, he is anxious.

**Hon. Mr. Davis:** Put the boots to him.

**Mr. Martel:** The member for Wilson Heights is looking for a reason to vote for compulsory arbitration.

**Mr. Singer:** I am not looking for a reason. I say this, and I am happy to be—

**Mr. Martel:** There never has been a time when you haven't.

**Mr. Speaker:** Order, please. The hon. member for Wilson Heights will continue.

**Mr. Renwick:** You're quoting from what your colleague calls absolute chicanery.

**Mr. Singer:** The member for Riverdale is going to vote against it, is he? He's going to vote against them going back, eh? He's going to vote so that the students will not be able to go to their classes on Monday? He's going to vote in the way—in the words of the member for Sudbury—that there is no rush. It can be done in July or August or September,

and it doesn't matter one hoot. That's what he's voting for. If that's what it is, then let the people of Toronto know about that. We're voting in the way that my leader indicated—

**Mr. Renwick:** When the question is put, we will vote no.

**Mr. Singer:** We're voting so that the schools will open again on Monday.

Now, Mr. Speaker, there is one very serious matter that I wanted to deal with at some length—

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Singer:** —and I hope that the hon. member for Riverdale will pay some attention. Frankly, I was surprised at him this afternoon—

**Mr. Renwick:** I have been waiting all day.

**Mr. Singer:** —when he introduced in his peculiar way this "Dear Roy," "Dear Jim" series of letters. Now, I join with my colleague from Sarnia in saying—

**Mr. Renwick:** Mention the date of that letter will you, Oct. 30, 1975.

**Mr. Singer:** I know, I know. Why are you so sensitive? Be patient. I haven't said anything nasty about the member yet, but it's coming.

**Mr. Renwick:** We tried to deal last year with the problem that you're dealing with this year.

**Mr. Singer:** I don't know why he's so sensitive.

**Mr. Speaker:** Order, please. Could we get on with the principle of the bill? The member for Wilson Heights.

**Mr. Singer:** Periodically Mr. Speaker, the member for Riverdale gets all upset because of his guilty conscience. He's going to have cause to be upset when we're through, but I just want to lay the background. I think, sir, you're entitled to know why I think the member for Riverdale created, probably inadvertently, a wrong impression in the members of the House this afternoon.

The member for Riverdale wrote a very good letter, because he's a very good lawyer. He wrote a very good letter raising a number of important constitutional questions with the Attorney General (Mr. McMurtry), and he sent that forward on Oct. 30. This after—

noon when we were trying again, my colleague from Sarnia and I, to get some answers from the government as to the basis on which this was being done, as to the basis on which there could be no definite commitment as to the finality of a salary to be determined by an arbitrator, because they have set that aside. They've got this phoney agreement with Ottawa. We were trying to find out how and what the legal basis for it was. Then, in all his dignity, the member for Riverdale rose and waved aloft the "Dear Jim" letter. The "Dear Jim" letter, when you read it with the "Dear Roy" letter, is no answer at all. The "Dear Jim" letter is a con game and the member for Riverdale was prepared to accept it. He accepted it in the spirit that his leader made his speech this afternoon, and the member for Sudbury got up and attacked him and moved the amendments.

**Mr. Renwick:** You draw conclusions, I will draw mine.

**Mr. Singer:** Now, there are no answers, Mr. Speaker, in the letter that the Attorney General wrote to the member for Riverdale to the questions that the member for Riverdale asked of the Attorney General—and we go to the same spot. What basis does the government have for entering into this arrangement with Pepin and his friends and saying it is binding on us without even coming to the Legislature of the Province of Ontario and asking if they can do it?

**Mr. Speaker:** Order, please. Would the hon. member get to the principle of the bill?

**Mr. Singer:** Oh, Mr. Speaker, I am on the absolute principle of the bill. The principle of the bill that we are concerned about is this: Since there is no undertaking, understanding, commitment or statutory provision that the salary to be determined or the terms to be determined by the arbitrator are going to be final, we are entitled to say—and we're going to say at some length as we've been saying—that the reasoning behind it has to be explained; and that this government is acting illegally and that the whole thing is going to blow up in their faces. Now, that's the point. That's the principle of the bill, Mr. Speaker.

[5:30]

Let me read to you a few words given in the legal opinion my hon. colleague, the member for Sarnia, referred to a little earlier:

Our advisers have told us that the province can validly incorporate those sections of the federal Act establishing and defining

the functions of the Anti-Inflation Board. Alternatively, the province can't enact specifically that the federally-constituted board will be responsible for monitoring prices, profits and income increases and that the federally-appointed administrator will be responsible for the enforcement of the Act. Note that the provincial Act, in this case, would be nothing more than an incorporation by reference of the federal Act.

We haven't got a provincial statute, so there can be no incorporation by reference.

What have we got and what did the member for Riverdale cop out on, because he knows better than this? We've got an order in council for which we asked the authority. The House leader promised my colleague from Sarnia, and I heard him, that we were going to get the statutory authority for that. I hasn't come forward this afternoon. He promised it in the Premier's name, and the Premier hasn't produced it. We have an order in council which allowed the Treasurer (Mr. McKeough) to sign a document that puts us in this absolutely untenable position.

**Mr. Renwick:** But you have my letter and you agree with that.

**Mr. Singer:** I am saying—if the member for Riverdale will listen, if he will be patient, he knows what he did this afternoon. He tried to lay a false smokescreen and he didn't get away with it; it's too bad, because he knows better than that.

Mr. Speaker, the conclusions are:

The province may enter into an agreement with the federal government to have the Anti-Inflation Act apply to the bodies specifically exempted from its application by 4(2). However, such an agreement would not be valid in the absence of provincial legislation adopting the federal Act. [We have none of that.] The technical means of adoption or incorporation by reference are varied as are the means of employing the administration machinery set up by the federal Act for provincial purposes.

It's fascinating to note that in one of the cases to which we have been referred, and which "Dear Roy" has missed in his letter back to "Dear Jim," is the case called the Attorney General of Nova Scotia and the Attorney General of Canada v. Lord Nelson Hotel Co. Ltd. Fascinatingly, in that case, which went before the Supreme Court of Canada in May and October, 1950, the Province of Ontario was represented by C. R.



(Cliff) Magone, a very fine lawyer who did an excellent job, an outstanding job, for the Province of Ontario. C. R. Magone acted for the Attorney General of Ontario in the argument of that case.

What do we have in that case? We have five judges of the Supreme Court of Canada unanimously agreeing that there can be no interdelegation between Canada and the provinces of the powers reserved in section 91 and section 92. You can agree until you're blue in the face but you can't do it that way. The words that the people in Ottawa put into this agreement, and their recital, as mentioned by my colleague from Sarnia, doesn't change it one whit. If the government wanted to do it properly and legally, then it would have done it as suggested in this memorandum of law, the concluding portion of which I read to the House.

Mr. Speaker, I think you might be interested in a few words in this judgement, just a few. Here's a chief justice who says—

**Mr. Speaker:** Order, please. Will the member take his seat? I've been scanning this bill and I see no reference to the referral of this bill or decision, or the outcome of it, to the Anti-Inflation Board. We've allowed a full discussion to go on—

**Mrs. Campbell:** Oh, come on, you can't do this.

**Mr. Speaker:** —but if you can point out to me where it is in here, we'll allow it; it's an interesting legal background—

**Mr. Singer:** No, Mr. Speaker, you miss the point.

**Mr. Speaker:** Order, please—but I don't see any reference to it in this particular bill. Thank you.

**Hon. Mr. Kerr:** There is nothing in the bill about the Anti-Inflation Board.

**Mr. Singer:** Mr. Speaker, you've got to put this in context with the absence in this statute of the finality of the arbitrator's decision.

There can be no finality in the arbitrator's decision—

**Mr. Speaker:** Order, please. We're dealing with this particular bill, and what happens outside—

**Mr. Singer:** Mr. Speaker, that is what the whole trouble is.

Interjection.

**Mr. Speaker:** Order, please. In my opinion, and I know the hon. member is more learned in the law than I am, I can find no reference to the Anti-Inflation Board. It seems to me that's outside the purview of this particular bill.

**Mrs. Campbell:** No, sir; no way.

**Mr. Singer:** Mr. Speaker, I draw your attention to what this provides as the method of determining the final working conditions and the fact that there is no statement here that they shall be binding either on the boards or on the teachers. It's written in that way because it has to be bound by what the government believes is the law; that is, the rulings of the Anti-Inflation Board in Ottawa.

**Mr. Speaker:** Order.

**Mr. Singer:** That is why it is put that way and that is what the minister said, Mr. Speaker.

**Mr. Speaker:** Order, please. It seems to me that is outside the jurisdiction of this particular bill.

**Mr. Singer:** Not at all, Mr. Speaker, it is not outside. Listen with me to what the minister said when he introduced it.

**Mr. Speaker:** Order, please. I think if the hon. member would proceed with the principle of the bill, it would be much better.

**Mr. Singer:** I am talking about the principle of the bill, Mr. Speaker, and I have to do this.

**Mr. Speaker:** Order, please.

**Mr. Singer:** I am the only one you have begun to descend upon in this way.

**Mr. Renwick:** Because there is no Sergeant-at-Arms.

**Mr. Speaker:** Order, please. It has been a very interesting discussion and we do allow a straying from the principle of a bill to a certain extent, but it seems to me we are dwelling far too long on something which I can't find in the bill, quite frankly.

**Mr. Renwick:** Name him.

**Mr. Roy:** That is why you didn't find it in the bill.

Interjection.

**Mr. Speaker:** Order, please. Would the member please get back to the principle of this bill?

**Mr. Singer:** Mr. Speaker, I am on the principle of the bill. If you will recall what the Minister of Education (Mr. Wells) said in his explanation—

**Mr. Makarchuk:** Throw him out.

**Mr. Singer:** Yes, all right; throw me out; go ahead. I think you should, Mr. Speaker. If you will recall what the minister said in his introduction, he justifies that portion of his remarks by making reference to it. Let me read to you what the minister said:

This strike has been unusual, even unique, from the start. It began in the early period following the announcement of the federal anti-inflation programme and following Ontario's announcement of its intention to opt the public sector of the province into the programme.

The minister started it. He had to explain his bill, and there it is. Now I can surely explain it. It is my right and my duty to explain why the minister is wrong.

**Hon. Mr. Kerr:** You are debating the agreement.

**Mrs. Campbell:** Then why didn't you put a floor into it?

**Hon. Mr. Wells:** It has nothing to do with the agreement.

**Mrs. Campbell:** Why didn't you?

Interjections.

**Mrs. Campbell:** You know why.

**Mr. Renwick:** Don't you see the connection?

**Mr. Singer:** In fact, on page 5, the minister says:

Even though the expressed demands of the teachers seem clearly in excess of the federal anti-inflation guidelines, even allowing for any special considerations that might apply, the teachers chose to exercise their legal prerogative to strike. The whole exercise had a sense of futility—

And he goes on.

Surely Mr. Speaker, when the minister is excusing government response by referring to the anti-inflation guideline we have a right and a duty to explain why they don't apply and how the government is trying to pull the wool over the eyes of the people of Ontario. And that is what I intend to continue to do.

**Mr. Speaker:** Order please.

**Hon. Mr. Wells:** On a point of order, I think it is quite just and right to refer to the relationships and effects of the anti-inflation programme on the processes that have led up to us being here today. It is a fact that this government has opted in and there is no question that the monetary portions of a decision of the arbitrator under this bill, will have to be reviewed by the Anti-Inflation Board in Ottawa.

**Mrs. Campbell:** Thank you. That puts us right in order.

**Hon. Mr. Wells:** But, I don't think that passing any comment on those should lead us to a total discussion of the agreement that the Province of Ontario has signed. If the hon. members want that, let them have a debate and ask for a debate or move some kind of a motion on the agreement.

**Mrs. Campbell:** That's the whole thing.

Interjections.

**Mrs. Campbell:** We were going to get it before Christmas and we didn't get it. We were promised it.

**Mr. Speaker:** Order.

**Hon. Mr. Wells:** I would submit that there is nothing in the principle of this bill concerning that.

**Mr. Singer:** Mr. Speaker, the minister has established my very point. He says we are doing it because we are caught up. I say they don't have to be caught up. They are being illegally caught up. I am quoting the authorities for it. I think it is high time we in this Legislature began to question arbitrary, irrational and unusual actions by a government—

**Mr. Wildman:** Illegal and weird.

**Mr. Singer:** —which governs or purports to govern by orders in council. What does it need the Legislature for? It's a terrible burden. It's a nuisance. Why doesn't the government do everything by order in council?

**Hon. Mr. Wells:** That's not right.

**Mr. Singer:** Yes. If the government can sign this agreement by order in council, it could have ordered the teachers back to work by order in council. It doesn't need the Legislature. It doesn't believe in the Legislature. It is arrogant and cocky and it ignores the law; that's its problem.



I want to tell you about the law, Mr. Speaker, and I think it is important that we tell you about the law. I am a lawyer and I love the law and I think we have got to run this Legislature by the law that applies in this jurisdiction and in Canada.

**Mr. Makarchuk:** Vote against it.

**Mr. Singer:** Mr. Speaker, let me tell you this.

**Mr. Speaker:** Order, please. I think we are wasting quite a bit of valuable time. We have allowed the hon. member and other members to continue in this vein as background to the bill, just as there is much more material and background to the bill, but there is really no reference in this bill to the Anti-Inflation Board and the matters pertaining thereto.

**Mrs. Campbell:** Oh no, not now.

**Mr. Good:** The minister can talk about it but we can't.

**Mr. Speaker:** So, if the hon. member can tie it in very briefly we will allow him to continue.

**Mrs. Campbell:** Well, make a ruling.

**Mr. Speaker:** Order please, but we would ask him to get to the principle of the bill as quickly as possible.

**Mr. Good:** Mr. Speaker—

**Mr. Speaker:** No, order please.

**Mr. Singer:** Well, if my words are not adequate, I am sorry. If I cannot impress the Speaker of the Ontario Legislature with the importance of the government acting legally, then I guess I have failed in all my years of public life in trying to get one simple concept through.

I am charging that this government has acted illegally and improperly; that this statute needn't have been written in the way it is, but the government has drawn a smoke-screen across the trail in saying that we are bound by a piece of paper that is legalized apparently by an order in council for which there is no authority.

I think that is an important point, and a point that has to be made and repeated and repeated and repeated so that everybody in Ontario understands that we govern by the rule of law and not by the rule of men.

I think that is important. I can't think of anything more important, Mr. Speaker, that we can talk about in this Legislature; and I want to tell you what some of the judges of

the Supreme Court of Canada have to say about changing jurisdictions backwards and forwards between Canada and the provinces—between sections 91 and 92.

**Mr. Speaker:** Order please. We will allow the member to continue if he is not too lengthy, in commenting on the hon. minister's introductory statements, but please get to the principle of the bill as soon as possible.

**Mrs. Campbell:** Oh let's get on with the debate.

**Mr. Singer:** All right, Mr. Speaker. I will quote instead of 20 quotes that I have from this judgement, just two or three. I will quote first of all from the then Chief Justice of Canada, Mr. Justice Rinfret who says that the members elected to parliament or to the legislatures are the only ones entrusted with the power and duty to legislate concerning subjects—no, no—that in each case members in parliament and in the legislature are the only ones entrusted with the power and the duty to legislate concerning subjects exclusively distributed by the constitutional Act in each of them.

**Mr. Roy:** That's pretty clear.

**Mr. Singer:** What could be simpler than that Mr. Speaker? What could be more applicable of this statute than what the Chief Justice of Canada says in this case? And he is joined by his four colleagues who unanimously agree with him.

In case it might have slipped anyone's attention, the Attorney General (Mr. McMurtry) or the Provincial Secretary for Justice (Mr. MacBeth) who isn't here, I again draw to their attention the fact that Cliff Magone, that famous Ontario civil servant and good lawyer, was there on behalf of the Province of Ontario.

I suggest, Mr. Speaker, that we would not be in this difficulty if the government had, in good faith—and I accuse them of not having good faith—in good faith and in good conscience had said: All right, the government in Ottawa wants us to be within certain guidelines; there are ways we can do this legally and there are other ways where we can try and con the troops, and that is what we are doing.

Maybe we can even get Jim Renwick not to make a fuss; he has written a letter and that's the end of it. That's exactly what has happened.

But I say that we here in Ontario are entitled to have whatever control of salaries

and wages and collective agreements and profits and professional profits and so on, brought here and legalized, authorized by the vote of a majority of this Legislature and you haven't done that. You have this phoney order in council that isn't worth the paper it is written on.

I was very happy to hear this morning that CUPE—and the hon. Leader of the Opposition (Mr. Lewis) knows about CUPE, he advised them to stay out of Brown Camps—CUPE is about to challenge us in court and they'll win. They will win.

I am surprised that the hon. member for Riverdale (Mr. Renwick) hasn't joined with my colleague the member for Sarnia (Mr. Bullbrook) and me in making this point; and I am shocked that there isn't a law officer or a legal official of the government sitting on these benches who is able to answer us on these points.

I say this, Mr. Speaker, yes, we shall vote for the return of the students to the classes. But there is a great fault in this legislation. It leaves the teachers hanging in abeyance until somebody goes to the Supreme Court of Canada and gets this thing thrown out. And therein they have caused all this trouble that so worries, with good justification, the teachers in their bargaining position.

I say we are going to make the best of a bad situation. The law is clear. The law is abundantly clear and the government, as late as this afternoon, reneged on the promise made by the House leader to my colleague that it would give us the authority that it had for passing the order in council. If that's the way government in Ontario operates, do away with the Legislature. We are excess baggage, we are redundant, we are meaningless. They can do everything by order in council, so why worry about Bill 1 or Bill 100 or labour relations? Just retire to your ivory towers and pass orders in council.

[5:45]

**Mr. Wildman:** I rise in opposition to the bill and in support of the reasoned amendment. It is interesting that our colleagues in the Liberal Party have stated that they think the New Democratic Party wants to have it both ways, and yet we just heard the minister—well he would like to be the minister—the member for Wilson Heights (Mr. Singer) state that the government had acted illegally but that he was going to vote with them, and the member for Sarnia (Mr. Bullbrook) states that the arbitrator has no power, and that arbitration is a charade I

think he said, and yet he is going to vote with the government.

**Mr. Roy:** Why didn't you vote with us when we wanted an anti-inflation board provincially?

**Mr. Wildman:** The last speaker dealt with the Anti-Inflation Board. I would rather deal with the problem of compulsory arbitration in this bill.

**Mr. Roy:** Why didn't you vote with us?

**Mr. Mackenzie:** He is talking about his party, the Anti-Inflation Board.

**Mr. Wildman:** The reason I stand to take part in this debate is that this, as I said in the emergency debate we had earlier, is not just a Metro dispute but rather a province-wide problem, because in many other areas, as other members have mentioned, teachers have voted to strike. In my riding, the high school teachers in central Algoma are in a legal strike position—

**Mr. Roy:** He is out of order.

**Mr. Wildman:** —and if this bill is passed, this bill ordering Metro teachers back with compulsory arbitration, I am very concerned what effect that will have on all of these other disputes across the province. If we say to the Metro teachers that the last step in Bill 100 is compulsory arbitration then we are saying that to all the teachers and all the boards in the province, and that will have a tremendous effect on the ability of those boards to negotiate settlements or on their willingness to negotiate.

I just want to point out that we had concern for students, just as I think every other member of this Legislature has, and for their education. That is why we suggested that perhaps the schools should be opened but that we should oppose compulsory arbitration and we should find another method for settling the dispute, especially in view of the fact that the representatives of both sides have said they are not too far apart and that they could reach a negotiated settlement. I think that even if they can't, we should give them the final opportunity to try again to do that.

By saying that compulsory arbitration is the only answer, the government and the members of the Liberal Party who oppose it but are going to vote for it will find that they are causing a tremendously difficult problem for all negotiations, not just in education but negotiations throughout the province. I would urge the members of the party next to us



here to rethink their position and to realize that if they want the schools open they don't necessarily have to vote for compulsory arbitration. They can vote to have the schools open and also for the support of the collective bargaining system. I hope they would rethink their position.

**Mr. Roy:** I would like to say a few words on the bill. Of course, all parties are in agreement with the reopening of the schools and having the students back in the schools.

My colleagues have dealt with the fact that not only has the government taken it upon itself to relinquish its responsibility in the public sector and throw it all off onto Ottawa—in other words, any problems in the public sector are off to Ottawa—they've done a similar sort of end run when it comes to balancing their budget or cutting their deficit. That's not on the principle of the bill, but it might be of interest to you, Mr. Speaker. The Treasurer's (Mr. McKeough) budget is going to look better next year because he's shoving it all on the municipalities. That's what I call the lack of leadership that we've been getting from this government since September of 1975—they're shoving it onto Ottawa or onto the municipalities.

I want to say to my colleagues to my right, the NDP on the approach and the criticism that they're giving us now, we say it's illegal and we're backing this principle. We put forward a motion of non-confidence here. We wanted a provincial board here, within provincial jurisdiction, because we felt at the time that if we were going to be in a position to put people back to work we should have been in a position to tell them at what level. We were prepared to say that in areas such as education, health, justice, which since Confederation have been within this jurisdiction, this government should be the one to decide what historical factors and other things were when deciding wage levels. If my colleagues on my right say that we're being inconsistent, they are the ones who are being inconsistent. If they really felt that there should be a level and they're suggesting a level now, why don't they vote with us when we put forward this non-confidence motion?

**Mr. Renwick:** Because we don't believe in your federal counterparts' wage and price control guidelines.

**Mr. Roy:** They postured here for weeks, saying that there should be a provincial board, but when the crunch came they were not prepared to accept it.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Roy:** That's right, they rejected it.

**Mr. Speaker:** Order, please. If the hon. member would speak on the principle of the bill and proceed, please.

And could we have fewer interjections? Thank you very much.

**Mr. Roy:** The point we want to make is that we are being inconsistent.

Interjections.

**Mr. Roy:** I mean consistent. We have said throughout that there should be a provincial board. We are saying now that the agreement between the province and the federal government is illegal. And my colleague from—is it still Riverdale?

**Mr. Renwick:** Yes.

**Mr. Roy:** Really he should be the first one to applaud the approach taken by my two colleagues from Sarnia and Wilson Heights.

**Mr. Renwick:** I agreed last September. I told the Attorney General (Mr. McMurtry).

**Mr. Roy:** He should be the first to realize that we don't transfer jurisdictions—

**Mr. Speaker:** Order, please. Would the member speak to the bill through the Chair?

**Mr. Roy:** I was pointing that way.

Interjections.

**Mr. Roy:** You just feel I should have a better angle.

The position of this party, and I think this bill highlights it, is the fact that we, as a Legislature, have to put the teachers back to work, but we as a Legislature cannot determine the level and that's where the inconsistency lies. How the minister could sit there and take that type of approach is typical of the type of leadership that's been lacking in this province for some time. How could they possibly say that they're sending them off to Ottawa? They have evidence, the case law, the precedent is there, that the agreement that they've entered into with the feds is illegal. There is no precedent for it.

It's one thing to have a lack of leadership, but it's another thing not to be able to follow the rule of law. That is what is lacking in this whole approach. I think it's going to be a sad state of affairs in this province, when in fact the scenario could be that the teachers under compulsory arbitration get a certain level, the Anti-Inflation Board makes a decision, and then a court case is taken and

the whole thing is written off as being illegal to start with. Then where are we going to be?

That's the type of responsibility that they're not prepared to accept, and that's the type of responsibility that my colleagues and I have been trying to put forward in this House today. That's why we feel that originally we should have had the support of the people to our right in establishing a provincial anti-inflation board so we could act consistently throughout in disputes such as this.

**Mr. Bounsall:** I rise to oppose this Act respecting the Metropolitan Toronto Boards of Education and Teachers Disputes in the way that it is written, and to support the reasoned amendment put forward by our party. I have had various concerns over the way in which negotiations across the province have taken place under Bill 100, but clearly, in the Toronto situation and the action which the government has taken in introducing this bill, in my mind one concern overshadows everything else, and that is the compulsory arbitration aspect of this bill and the detrimental effect that it inevitably has upon collective bargaining.

I am opposed to compulsory arbitration—not per se, not dogmatically, except that whenever it has been introduced there has been a detrimental effect upon collective bargaining, and I am very much in favour of collective bargaining. By and large it works; it's the only solution we really have to dispute between labour and management in this country. There is nothing else on the horizon to replace it, and we must do everything we can to encourage free and full collective bargaining.

In any dispute, whenever compulsory arbitration has been applied—as has been this government's practice; and in many cases far too early, without really thinking upon the effects that it has upon the parties involved—it has had a detrimental effect upon negotiations, and an effect which I would think takes some years to correct. When you apply a solution in a binding way, decided upon by a third party, which is what happens in compulsory arbitration, what you have avoided is the meeting of the minds between those two parties which is so necessary for the continued working together of those parties. That meeting of the minds never occurs, and that is what is bad about any non-negotiated settlement, and what is bad about any compulsory arbitration with its binding solution imposed upon any group of workers.

That final coming to grips with all the problems that are outstanding does not occur, and in most cases at this stage of negotia-

tions there are very few outstanding. We can talk about them inevitably being two or three main points, and maybe three or four subsidiary points at most. This final meeting of the minds, this final coming to grips by both parties, realizing that a solution must finally be reached between them and no others, is avoided and is completely negated.

Having said that about compulsory arbitration and collective bargaining, which could be applied to any dispute, let me give the House what again is my overriding concern as compulsory arbitration has its effect upon this particular dispute and other disputes in the future with respect to teachers and boards. That is the government, by bringing in this particular piece of legislation at this point—a very bald piece of legislation that by and large simply, in this labour relations aspect of it, imposes compulsory arbitration—says to the teachers and boards across this province: “We have written another clause to Bill 100.”

Bill 100 is the bill that grants teachers the right to strike, and gives to the teachers and the boards very careful procedures to avoid the final breakdown of negotiations, procedures to avoid the strike situation. Now this government has written a clause that says: “Should everything fail and should you go on strike, we are serving notice that your strike can last only 38 days. Your strike, no matter when it occurs, between a teacher and a board, is going to last 38 days, plus or minus a couple of days.”

I can't think of anything more detrimental in the first real strike under Bill 100; and it will become clear to boards and teachers in this province. Sure, here's the legislation, but they are now writing another clause saying: “The longest we will tolerate you being off work is 38 days.”

What this inevitably produces—and this is where my real concern is—is that no one from here on need take Bill 100 all that seriously. They can continue on and go through all the actions of the bill, one side or the other—it's usually one side, but it could be both sides—and not negotiate in good faith. They know that should a strike eventually occur, that this government, by its action at this particular time in the first operation of this bill, will blow the whistle after 38 days.

**Mr. Speaker:** Does the hon. member have further remarks to make?

**Mr. Bounsall:** No, thank you, Mr. Speaker. I have further remarks to make, but this isn't the appropriate time at which to make them.

The House recessed at 6 p.m.



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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Second Session of the 30th Parliament

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Thursday, January 15, 1976

Evening Session

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

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THURSDAY, JANUARY 15, 1976

The House resumed at 8 p.m.

### METROPOLITAN TORONTO BOARDS OF EDUCATION AND TEACHERS DISPUTES ACT

(continued)

**Mr. Speaker:** When we rose at 6 o'clock, I believe the member for Windsor-Sandwich had the floor. Will you continue?

**Mr. Bounsall:** Before supper I was attempting to indicate in very clear terms my feelings about the bill introduced by the government and why I felt I could not in any way support it. It devolves mainly on the point, which I feel very strongly about, of compulsory arbitration and how that destroys the collective bargaining system.

The introduction at this time of this bill in the first dispute between teachers and school boards that has gone to a strike, having followed the provisions of Bill 100, to me sets the precedent of our saying there is another clause to Bill 100 which was not there in the original bill. It is one which says that after 38 days of a strike, plus or minus a day or two, the government of Ontario will legislate the teachers back to work. So we have a bill which very carefully tries to avoid a strike in negotiations between teachers and school boards; tries in every way in that bill through many avenues in which a negotiated settlement can be reached. But if, as sometimes happens, negotiations are not concluded and an agreement has not been reached under the bill, and the time in the negotiations arrives at which a legal strike can occur and that strike occurs, then we are very clearly saying that it can last only 38 days.

I see that as extremely damaging to the whole of teacher-school board negotiations since one party in a given instance, or perhaps both, will hold off doing any serious negotiations because they know that they will go on strike and in 38 days will be back to work by our action. To me, that is very detrimental to the free collective bargaining process in which the parties must come to a conclusion. Having come to a conclusion, they understand why they have arrived at that conclu-

sion and have a basis on which they can continue to talk and negotiate for future years.

However, if a settlement is imposed upon them through the use of compulsion, through the use of an arbitrator who thrusts upon them a decision—a decision which in many cases makes neither party very happy, a decision in which inevitably one party feels or both parties feel that the arbitrator did not understand what was at stake in some of the clauses or in some cases one or both parties, do not even understand why the arbitrator made the decision that he or she did, and they must operate under those unusual condition or conditions which do not please either of them for at least, in many cases, another year.

In labour relations it is that situation one must try to avoid; and it is one in which, not only in this case but I see it as a precedent for future cases, we are getting ourselves into a situation which, in the initial short-term instance or in the long term as regards negotiated settlements arrived at over the years, is not going to be in the best interests of either party, the students in the classroom or the public of Ontario. It is on that basis that I have really severe reservations about the bill—reservations that in no way lead me to support the bill and, in fact, would cause me to vote against this bill on second reading on that principle alone.

If I could make a few further remarks, I viewed with interest the whole evolution of Bill 100 and the events leading up to the introduction of that legislation. Unfortunately, when it was brought before us last spring, I was involved in a series of labour bills before the House and couldn't attend all of the sessions of the committee, but I kept in close touch with what was going on. I thoroughly approved of that legislation. It clearly gave the teachers the right to strike, which is an important right in our society, a right which of course no other legislation had denied them but a right in which it was not absolutely clear in the minds of teachers and the public that they had. In addition, there were very careful procedures in the bill, very careful stages by which that situation might well be avoided.



One of the things that intrigued me most in that legislation was the fact-finder and the role of the fact-finder. Our hope at that time, and it was expressed by persons other than myself, was that that fact-finder, when appointed was to come in and have a very careful look at the arguments from both sides, bearing in mind the situation that teachers are or should be in, in the community and in the Province of Ontario, relative to all other workers, and bring down what he thought would be a good reasoned position that hopefully would be satisfactory to both parties but one in which the fact-finder could carefully justify in terms of the facts presented to him, the conditions in Ontario at the moment and the relative position teachers should be in, in the Province of Ontario, relative to all other workers in the Province of Ontario.

I must say, even though this is the first fact-finder—and perhaps we should not expect, with the first situation that arose under this bill and with the first fact-finder appointed under this bill, that it might not work in the way it was intended to work or that we hope it is intended to work in the future—and I must go by reports that appeared in the press at that time, the remarks made by the fact-finder, Stanley Hartt, with respect to why he found the facts he did, disappointed me. They did not meet the standards which I had thought, many of us had thought, he should be observing in that particular job.

His comment was, "I made a decision and gave a solution which I thought the teachers could accept." That's all very well. But if the comment I read on more than one occasion was true—whether or not it was simply an off-the-cuff remark by Stanley Hartt, I don't know—if that was true, he, as a fact-finder, did not quite live up to the intent of the legislation or at least to our expectations as to how a fact-finder would operate under this legislation and present facts to the public in terms of the situation under dispute.

I might make one point here, that there are various things occurring under Bill 100 through this set of negotiations which lead me to think that there could be some changes in Bill 100. One of the other reasons that I was particularly enthusiastic about the fact-finder was that should a fact-finder be used and he presents his report, one of three things would inevitably happen. The board and the teachers concerned would look at the fact-finder's report and say to themselves: "Okay, there is an unbiased outside view of our negotiations. Neither of us accept it because we feel that we can improve upon that solution through negotiations between ourselves." They would go back with that in mind.

The fact that an outside person viewed their situation objectively and brought in certain findings would be helpful. There would be parts of it that would be acceptable to both parties, but other parts they could negotiate over and change to a situation that would be more acceptable to both of the parties. That may be the most ideal response to the fact-finder's report.

In other situations, for example, the teachers might accept the fact-finder's report and the board reject it, or the board accept the fact-finder's report and the teachers reject it.

The intent and the enthusiasm about the fact-finder's report, as it relates to those two situations, was that it would be made very clear to the public which side had rejected the fact-finder's offer and which side at that particular point in time was being myopic—and that it should become very clear to the public.

Again, what slightly disturbed me in the past situation was the teachers saying they accepted the fact-finder's report and the board saying that they didn't accept that report. To me, at least at that point in time, we could say of the board and its negotiators that perhaps they were being myopic. That never did get through clearly to the public, because the teachers under those circumstances felt that they had to strike. They took their strike vote and struck, and the whole thing was cast as a strike by the teachers against the board. In terms of acceptance and rejection of the fact-finder's report, what you really had or should have had—if it reflected the situation at that time—was a lockout by the board and the public feeling turned at that particular point in the negotiations on the party that was most to blame for the negotiations being at that stage at that point.

So, I think we may well consider an amendment which clearly indicates at some point, based on the response to the fact-finder's report, which of the two parties at that given time was more myopic than the other, if you like, or less responsible than the other—or at whom the finger of the public should be pointed in terms of the person who did not conclude the collective bargaining negotiations at that point; one which clearly calls at some time upon the board to actually lock out the teachers, rather than the teachers having to resort to a strike when it is the board which clearly rejected what should be an unbiased third person report about the situation having had all of the facts presented to them.

I think that under Bill 100 we would be strengthening it in terms of what the public



would see is happening, if at some time we amended the legislation to include and cover that point. I am not going to get into the merits and demerits of both sides, that is futile; I am sure there is merit on both sides and some lack of merit on both sides. I am not party to all the ins and outs of the negotiations and how they proceeded at a given point.

[8:15]

Let me say that there is justification in this first situation of thinking that perhaps Bill 100 and its operations and the situation giving rise to it may be a bit of an exception. This is the first time through it to this particular stage—that is, a strike occurring. It is the first time you have had a fact-finder. I would hope further fact-finders appointed under Bill 100 would have a look at what a fact-finder should, in fact, be doing and at least try to bring forward the best solution, and, in fact, if this one has, at least make no comments to the press other than to tell what he tried to do and not make comments to the press of that being a decision that he thought one of the particular sides would accept. So there is something to be learned by further fact-finders from this experience.

This is the first time we have had the staff on the Education Relations Commission, and it was only filled out to its membership of five quite a short time ago, so there are some things in this whole situation, it being the first time through, that may cause us to feel the whole situation is unique but not unique enough, not unique enough I say, for this government to apply compulsory arbitration and end collective bargaining possibilities with the meeting of the minds that must occur under that situation and to avoid setting what will be in people's minds a precedent for all future negotiations as to what will happen if the strike in a situation such as this lasts beyond a certain time.

In response to this, we placed a reasoned amendment. We in this party have felt that it would be useful to have the teachers back in the classrooms, to have the children back in the classrooms, although I must admit I do not buy the simple-minded argument that a loss of 38 days at this time to students in our system is particularly critical. I say that because although we have in our Schools Administration Act—I am not sure which Act it is—a clause that indicates there is a certain time at which schools close in the Province of Ontario, the Minister of Education (Mr. Wells) well knows that he has the full power and authority to bring in amendments to that Act to cover a given situation.

The whole conduct of education in the Province of Ontario is a provincial matter and directly a responsibility of ourselves and this Legislature. The minister could certainly bring in a bill indicating that the required number of school days as laid out in the Act be fulfilled before the students and teachers are allowed to finally depart the classroom. This may well mean that when an agreement is reached we may well be talking of school days in July or school days over into August, whatever is determined to be the proper length of time to complete what is thought to be the critical and appropriate areas of the courses for the students in those courses. I can see no great problem with that.

As for the persons the media have asked about admission to universities and colleges, let's not kid ourselves. I come from the university background field. We are still on the basic income unit that is paid to the university per student. We haven't gone off that system yet to any great degree, and I say that if qualified people turn up in the month of September for admission to a university, even if they are as much as a couple of weeks late for the starting of that university, they will be accepted at our Ontario universities and colleges because they need that basic income unit funding if nothing else.

All that the administrators were commenting upon, when asked about admission of students, is really that in essence they would not be accepted into the sort of pre-acceptance procedure which they themselves have set up in order to rationalize the students across the universities in Ontario and to avoid a gigantic rush at the end of August each year. Of the 140,000 students in Ontario, that's all the number of students we are talking about—that portion that happens to be in grade 12 for the colleges or grade 13 for the universities; a small number of students, in fact, who fit that category and could easily be handled even as late as mid-September, or even the end of September if that became the case, by the colleges and universities admissions people in the Province of Ontario.

So to say that it had gone too late by 38 days at this particular time of the year does not hold water with me. There are things we can do about it and one is to extend the school year—which we have the power to do in this Legislature and the minister knows it—and that would have no detrimental effect, at least for quite some time, on admissions to colleges and universities. It's just a spurious argument. It's an argument which people can make in their own minds only when



they're fixed on the idea that by June 30 our schools must be clear. For labour relations in the future between this particular board and its teachers, and the collective bargaining system implications for all the other boards and teacher groups that are confronting us, the damage is extreme. It is well worth the particular situation of teachers going into July rather than having the situation which we have before us.

It is for that reason particularly that I can support the reasoned amendment which would cause the school board and the teachers to have to sit down again seriously with no particular time limit—which again they could let run out if they didn't want to negotiate in good faith—and negotiate a settlement between them which they would understand.

It's giving them, if you like, a last opportunity to really get serious. At this stage in the game to tell the teachers and the board negotiators: "Look, we'll return the teachers to school, but, by heavens, by our amendment you have to get down and be serious about negotiations," to me has a lot of merit to it. It's equivalent to—and I would like to see this happen—locking both sides into a room and throwing away the key and not letting them out until they have reached a settlement. That would have been good for both sides and, hopefully, produced a settlement understood by both. Those are the reasons I can enthusiastically support that section of our reasoned amendment, Mr. Speaker.

There's reason to believe the chairman of the board when he was reported today—I believe this morning or last night, I forget which now—as saying that he still felt that a negotiated settlement could be arrived at. We have not got, therefore, the negotiators for both sides, or either side, coming out and saying there is no more hope for further negotiations. We have the chairman of the Metro board saying that he felt a negotiated settlement could still be reached. We are expressing our confidence that with a few more weeks of being required to bargain a negotiated settlement could be reached.

Turning to the other part of our reasoned amendment, that which imposed minimum terms and conditions on the settlement, it's quite incredible in this first example of a group of teachers and a board going through the Bill 100 legislation—and having delays because of an incomplete Education Relations Commission, for example, and the newness of the whole process—that when we get to a point where the government has decided that the time has gone long enough, when they come in to put them back to work, we do not

have minimum conditions in the legislation. Minimum conditions, I point out to the government and to the other members of the House who were not here at the time, were imposed in the not-too-distant past where in the bill putting the York county teachers back to work there was a minimum scale clearly laid out as a base above which the arbitrator started.

We also gave a base increase to the TTC workers in 1974 in the legislation, so we are not setting any precedent here by providing a base for negotiations above which whatever is going to happen can take place, by collective agreement or otherwise. Above that, it has become in the last two instances before this House the rule rather than the exception. In these exceptional circumstances involving the first group to go through the Bill 100 procedure, it is simply not responsible on the part of the government not to put that in the bill. It's completely irresponsible on the part of the government not to continue that rule in a bill of this type. In fact, if I didn't know the minister better, I would say it was incredible. He has had a couple of examples of it in the recent past and it's just a little bit surprising that this time in this particular situation he should choose not to take that particular step.

Our reasoned amendment provides a minimum settlement. It's one which is based on the board's last offer and that seems to us to be very reasonable. It's an offer which the board at least by its offering has said it can afford to pay. I understand from the small amount of contact I have that the negotiations are not very far apart, in fact. We are dealing with four main points and maybe one main subsidiary point.

It has become clear already from the presentations back and forth by both sides in the dispute, that there is not that much money still involved. I have heard the figure \$585,000 of a difference between them at the moment, which works out to about \$70 a year per teacher. I am not sure whether that \$585,000 was directly the difference between the board offer and what the teachers may be offering as a counter proposal. If that was the case, and it is my understanding it was, it is not very much money per teacher in these particular negotiations that would be insurmountable to reach an agreement. Placed in terms of students in our system, it works out to something like \$4 a student. To me that is not insurmountable.

I think again on another point of our reasoned amendment where we knock out the two-year term, that follows our reasoning in



that, if the board and teachers are to go back to the negotiation table and negotiate in good faith, that should be part of the negotiations. Even in the minister's concept of the bill, if he continues and enforces compulsory arbitration in this situation, that should be a matter for the arbitrator to decide, having come into possession of the facts from both sides and finally getting the whole complete overview and listening to their arguments as to why it should be one versus two or two versus one or whatever length of time they are proposing to him in terms of what both sides would see to be the most equitable.

I do not see why the government should persist in tying the time of this particular agreement. In the case of the two years in this bill, we would not be so presumptuous as to say to tie it to one. This is a matter which would be left to both parties if they can continue to negotiate or at least left to the arbitrator. We find this again a stubborn attitude and approach on behalf of the government.

There is one other comment I would make. One might be tempted in some sort of a reasoned amendment or considering the whole facts of the bill to say something about the Anti-Inflation Board and its effect. It certainly had a delaying effect upon this bill. The government was reprehensible in allowing, in my view, the interference of the Anti-Inflation Board to occur in the way that it did, to affect the negotiations in the way that it did and, in my estimation, to slow down the negotiations at a particular point, when it had an opinion of Jean-Luc Pepin which could do no other than hinder the negotiations for at least some short period of time.

I do not like to see the Anti-Inflation Board mentioned in this particular legislation, basically because I do not approve of the whole Anti-Inflation Board concept. To give them legitimacy by mentioning them in our reasoned amendment is more than I could personally do.

[8:30]

However, with the government's commitment to the Anti-Inflation Board and bearing in mind that Bill 100 is the minister's legislation and that he has produced through his actions, his appointments and his legislation this particular stage that we have arrived at, I would think he would have had no alternative but to speak in his own bill or to make a public commitment at the time of introduction of this bill to see that any settlement arrived at was not detrimentally influenced by the Anti-Inflation Board and that's an obligation which he should feel very strongly

on him. We don't even want to legitimize our feelings about the Anti-Inflation Board by mentioning it in any of this stuff, but the minister, who likes to talk about it and likes to hide behind it and all the rest of it, having arrived at this stage in the negotiations, the least he could have done, with his fond feelings toward the Anti-Inflation Board, was to ensure that in this particular settlement the decision was not going to be influenced by a person and a board which have no contact and no experience in dealing with educational matters or board/teacher negotiations in the Province of Ontario.

In conclusion, we oppose the bill, and the clauses which we have put into our reasoned amendment I can support fully.

**Mr. Speaker:** Do any other hon. members wish to speak to this bill before the minister replies? The member for York-Forest Hill.

**Mr. Singer:** What? There is no such riding.

**Mr. Speaker:** I'm so sorry. The member for Armourdale.

**Mr. Givens:** I accept your apology, Mr. Speaker. The ways of democracy are mystifying and amusing, and I must say that this evening I was amused as I was driving, both back home and down here, as the newcasts were coming over the air and the newscasters were spinning their web of intrigue and drama in soap opera fashion as to whether the Legislature would indeed pass this legislation which was hanging like the sword of Damocles over the throats of the teachers tonight. Will they indeed force them back into the classroom on Monday morning or will they not? It was really amusing, because outside of the fact that so many of us are guilt ridden in this Legislature where we feel we have to get up to make speeches, we could have passed this bloody bill at 11 o'clock this morning and nobody would have known the difference.

**Mr. Nixon:** Let's just have one more speech, Phil.

**Mr. Givens:** Which will be the only important one that we will hear tonight. So they make it sound as if a big drama is being enacted today—will they or will they not order these poor teachers back to school Monday morning?—and we know, you know and I know, that it's a foregone conclusion that they will be ordered back. As I say, it could have been done during the first hour of debate and everything would have been over.

I suppose we're guilty about earning our pay and we feel we've been away for such a

long time that we have to justify drawing our breath and our pay so we have to make our speeches. Why should I be any different?

Since this is probably the biggest audience of Tory faces that I have seen in such a long, long time, I'm going to take advantage of it and I'm going to punish them. I'm going to make a speech.

**Mr. Nixon:** Tories are hard to find these days.

**Mr. Givens:** Tories are hard to find these days.

**Mr. Singer:** They even come to the Legislature now.

**Mr. Givens:** I expected and I thought when we enacted Bill 100, which the Liberals were in the vanguard of pushing, that if the world knew, posterity would judge us accordingly for pushing Bill 100. I expected that when we enacted Bill 100 somehow this would give rise to statesmanship, that this group of people whom we were trying to help, the teachers—this elite of intelligent, educated, smart people—would somehow, when the crunch came, measure up and they would show us a degree of statesmanship in the field of labour relations which had heretofore never been shown, and that somehow if we enacted Bill 100 we would see something in the field of labour relations that we have never seen before. But, alack and alas, we saw what unfolded and we saw what happened—they behaved no differently from any other power group. They stuck out their hand like everybody else and wanted more and more. Management, on the other hand, acted the way management acts everywhere and said: "Nothing doing." They decided they would teach them a lesson. So we saw no statesmanship. We saw no difference. We saw nothing different from what we see in any other labour relations confrontation—and so I was disappointed.

What particularly mortified me with this group of teachers, from whom I expected so much and was so sadly disappointed, was the night that we had this confrontation in front of the Legislature and the Premier (Mr. Davis) appeared. The leader of the Liberal party (Mr. Nixon) and the Leader of the Opposition (Mr. Lewis) also appeared. They spoke to this group who teach our children, who are so highly educated with their massive degrees and their pedagogic degrees and their degrees that they have hanging on their walls back home. And when the leaders of a democratic government—freely elected by the people—came out to talk to them, the teachers booed them and they jeered them

in a manner which was absolutely despicable. I'll tell you, if there was ever a time when I was turned off, I was turned off that night. Those boos and those jeers still ring in my ears as we sit here tonight dealing with this piece of legislation. They knew what happened that night—

**Mr. McClellan:** Are you a pedagogue or a demagogue?

**Mr. Speaker:** Order.

**Mr. Givens:** Those teachers should have been able to realize that night when they were booing and jeering the democratically-elected officials of the people of the Province of Ontario, that there would be a time when they would have to come back to this Legislature with respect to legislation—and this is the night. I am really surprised that there has been a lack of vindictiveness and that there has been a lack of punitive action with respect to this legislation as I have heard it described in this chamber here today, as a result of that night. What gets me is that we—and, yes, I say this very feelingly—having stuck our necks out the way we did as far as this particular party is concerned in pushing Bill 100, and having stuck our necks out as we did in that motion of non-confidence, which risked putting this Legislature out of business and the possibility of an election—and we took that chance because we firmly believed that the Province of Ontario should have a provincial anti-inflation board to deal with the matter of the teachers rather than sending it up to Ottawa—we were punished by the teachers who came down here that night and who booed our leader to the echo. It indicated to me that they were ill-informed and that they behaved like boors and like working slobs and they wanted to be just like any other group.

**Hon. J. R. Smith:** What do you mean by "working slobs"? Explain that.

Interjections.

**Mr. Speaker:** Order, please. The hon. member has the floor.

**Mr. Givens:** So what happens, Mr. Speaker?

**Mr. Bain:** At least they make an honest living.

**Mr. Givens:** When you choose to live by the sword you've got to be prepared to perish by the sword.

**Mr. McClellan:** You are, aren't you?



**Mr. Givens:** So now we have an arbitrator—and quite frankly I'm scared by arbitrators. I remember what happened when Metro Toronto had the garbage strike and an arbitrator came down and unloaded the garbage in Toronto and gave them an award which covered them not only with glory but with all kinds of money. I don't know, the teachers may do twice or three times better than they would had they done through negotiations with the arbitrator. I don't know what they're so scared about. But, frankly, an arbitrator scares me—because I would rather choose bread and water by negotiation than choose an award by an arbitrator. I don't know why the teachers let it go as far as they did, which shows how smart they are.

**Mr. Davidson:** Why is the onus on the teachers?

**Mr. Givens:** I can understand my friends to the left, who are over to the right temporarily in this House, when they move the motion that they do, because what this means is the unvarnished truth of why we are here today and why we are doing what we are doing today.

The meaning of the exercise today is that the teachers have lost the strike or we wouldn't be here today. The fact that the government has brought in this kind of legislation—without a floor, without any parameters, without any indication of any settlement, without any basis from which an arbitrator can work—means they are starting from square one, where they could have started six weeks ago. Never mind that we are leaving settled the things that were supposed to have been settled in the past; the matters that have been determined by negotiation could have been settled weeks ago.

It's the do-re-mi we are talking about that hasn't been settled which is the essential issue of the day. What that means is that the teachers have lost the strike, and the reason they have lost the strike is that they haven't been able to elicit any measure of public support at all. When everybody is against them—the media are against them, the public is against them, the parents are against them, and the kids are against them—maybe it is because they are wrong.

**Mr. Kennedy:** Could be.

**Mr. Givens:** Have you ever asked yourself that? Maybe they are wrong.

**Mr. Breaugh:** Why don't you go back to Forest Lawn?

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Givens:** You are going to lose.

**Mr. Martel:** You are not even for real tonight.

**Mr. Givens:** You came down from the snow in the north on your skis and you are going to lose. So go back to Happy Valley and the pollution.

Interjections.

**Mr. Speaker:** Order, please. The hon. member for Armourdale has the floor. Would he continue, please?

**Mr. Givens:** Mr. Speaker, I would say it is baloney to rationalize; and we don't want to flagellate the poor teachers—

**Mr. Martel:** What are you doing?

**Mr. Givens:** We don't want to flagellate the poor teachers, so we rationalize by saying—

**Mr. Martel:** I can see why Trudeau got rid of you in Ottawa.

**Mr. Speaker:** Order, please.

**Mr. Givens:** There is the Sudbury kid.

**Mr. Martel:** You tell them where you are, Phil.

**Mr. Givens:** Did the member get his raise in pay lately?

**Mr. Speaker:** Order, please.

**Mr. Givens:** Has the Sudbury kid talked to Jean-Luc Pepin about his pay raise lately?

**Mr. Speaker:** Order, please. The hon. member for Armourdale has the floor.

**Mr. Givens:** That was one worthwhile thing I thought the member was going to accomplish and he didn't even accomplish that. He is about as useless around here as an udder on a bull.

**Mr. Speaker:** Order, please.

**Mr. Givens:** He knows enough about agriculture to know how useless that is.

Interjections.

**Mr. Speaker:** Order, please. The hon. member for Armourdale has the floor.

**Mr. Martel:** The hypocrisy prevails.

Interjections.

**Mr. Speaker:** Order, please. The hon. member for Armourdale is making his remarks.

**Mr. Givens:** I see the Attorney General (Mr. McMurtry) is back.

**Mr. Good:** How are things in Tel Aviv?

**Mr. Givens:** How are things over there, Mr. Attorney General?

**Mr. Roy:** Any hockey violence?

**Mr. Givens:** Did you settle anything?

**Mr. Ruston:** Did he ride a one-pointed camel or a two-pointed one?

**Mr. Givens:** Did you have any bodily contact over there?

**Mr. Speaker:** Could we get on with Bill 1, please? Thank you.

**Mr. Givens:** I only want to ask him one more thing: Have you got any regards from the PLO for me, Mr. Attorney General?

Anyway, Mr. Speaker, to get back to the essentials of the bill, after all is said and done, with all the leadership, with all the conniving and with all the brains and all the intelligence which this group is supposed to have, and which I thought they had, what have they gained?

**Mr. Davidson:** You are referring to the Legislature.

**Mr. Givens:** Not a blessed thing. They talk about bitterness in everybody, including my sweet friend from St. George (Mrs. Campbell). There should be no bitterness but there is bitterness and there will continue to be bitterness on the part of the parents. Like so many others, I have received scores of calls from parents, from pupils—

[8:45]

**Mr. Mackenzie:** How many is that, Phil?

**Mr. Givens:** —and from teachers who are bitter. People are bitter and will continue to be bitter, and they threatened that they are going to do this again 1½ years from now and if they do the results will be the same all over again.

**Mr. Bain:** You will step on them.

**Mr. Givens:** History will repeat itself. So they have learned nothing apparently, and there is the threat of defiance. The chief negotiator says, "If the Legislature decides to send the teachers back to the schools on Monday morning we will determine by vote whether we will obey the law or not." The

nerve of it all! Whether the law of this province will be obeyed or not.

**Mr. Davidson:** Did you wear your seatbelt this morning?

**Mr. Givens:** Yes, I did, as a matter of fact.

Interjections.

**Mr. Givens:** The only trouble that I find with the seatbelt legislation is that they don't make them long enough, like they used to.

**Mr. Breaugh:** That is because you are a lot taller that way.

**Mr. Givens:** So, anyway, what the teachers have accomplished is that they have indicated they are a striking group just like the industrial groups are, and I think that they have lost the professional standing that they use to have.

**Mr. Bain:** Yes, they are workers.

**Mr. Givens:** They are not the professional group that they used to be and there is no use pussyfooting around—so we have another industrial group on our hands. If they choose the road of defiance—

**Mr. Davidson:** What is wrong with the industrial worker?

**Mr. Givens:** There is nothing wrong with them.

**Mr. Speaker:** Order, please. The hon. member will please ignore the interjections. Order.

**Mr. Givens:** Don't masquerade under the guise of being a friend of the worker.

**Mr. Speaker:** Order, please. Will the hon. member for Armourdale continue with his remarks on the bill?

**Mr. Givens:** Don't kid anybody. Don't con the troops that you are something high-class when you are not.

**Mr. Deans:** Who decides who is high class? You?

**Mr. Givens:** If anybody determines that there is going to be an act of defiance and if this legislation decides, as the newcasters were saying today, shall they, will they or won't they pass this law, we know that we are going to. It is about 8:50 p.m. right now and I suppose within the next half hour we will be passing this great law.

**Mr. Warner:** Only if you stop talking.

**Mr. Givens:** If they decide to defy the law of the Province of Ontario then I think they



will be bringing down upon their heads the overwhelming umbrage of the ill-will of the people of Ontario for ever and a day.

I say that we should pass this law without further ado now that I have stopped speaking, because there is nothing else that is more relevant to say.

**Mr. Deans:** I hope you are applauding because he is finished, not because of the content.

**Mr. Bain:** I think this debate, in contrariness to the member for Armourdale (Mr. Givens), should go on for a good length of time. The only reason I could think that we should have ended it all at 11 o'clock is we wouldn't have had to listen to the member for Armourdale.

#### Interjections.

**Mr. Bain:** I am totally amazed. I must admit he has reached a peak; he has been better than the rest in that game of divisiveness. I am amazed at the lack of compassion from somebody who preaches compassion on one occasion and on another occasion will step on people the first chance he gets. If he is not willing to put himself in the other person's position and take a good look at what they are asking for, try to understand their situation, then he will constantly bring down edicts from on high and he will constantly tell people what is good for them and if they don't live according to his rules he will come down hard on them.

**Mr. Norton:** Come on, let's deal with the principle.

**Mr. Bain:** The only thing he forgot to say is that he could bring in the OPP—

**An hon. member:** Let's deal with the bill.

**Mr. Riddell:** Speak to the bill.

**An hon. member:** What kind of nonsense is he handing out?

**Mr. Bain:** The only thing that he forgot to add is that he could bring the OPP the way they have done against other members of labour in this province through a long history.

**Mr. McClellan:** It's a fine Liberal tradition.

**Mr. Martel:** Maybe you could hire Driver Pool.

**Mr. Speaker:** Order, please. The hon. member for Timiskaming has the floor and I hope he addresses himself to the principle of the bill.

**Mr. Bain:** Mr. Speaker, I promise I will address myself to the principle of this bill as much as any other member in this House. This bill goes beyond just the teachers. It's a bill that has repercussions for all working people in this province whether they are organized or unorganized. The present economic situation in the country means that we are facing difficult times but the way the present government and some of their allies would have it turn out is that the brunt of these difficulties will be borne by the working people. The corporations will continue to reap their profits. When it is all over—and let's hope the government's anti-inflation programme will be over some day—the working people will end up in a worse position than they are right now.

I will not go on at any great length, but I would like to cite one example that illustrates for me the root cause of inflation. We are always told that wages are the main cause of inflation. If one looks at a house which cost \$25,600 in 1969 and sells for \$35,800 today, he will find that's a \$10,200 increase. What accounts for that increase? Well \$6,430 of that is due to rising profits, land speculation and interest. Only \$950 is the result of increased labour cost. You are not going to tell me the main reason for that house increasing by over \$10,000 is labour. That is just not true but you continue to try to push that one on the public.

**Mr. Norton:** How does that relate to the principle of the bill?

**Mr. Martel:** The guru of grunts.

**Mr. Bain:** I mentioned to the hon. member for Kingston and the Islands that I wish to deal with this bill not in isolation as some members opposite would like to do but in a total framework. There needs to be protection for working people in this province.

I notice that the government has not risen to the occasion with such great haste to end the pulp and paper strike. Oh, no, leave the workers out because in that case management doesn't want anything done about it. They wouldn't want to interfere with the pulp and paper corporations because they are out to break the new Canadian union, so they will let it go on and on and on and on. If one reads that contract that was offered the workers, each line of it promises something and the following line takes it away. If they had voted for that contract under those conditions and gone to work for that, I think they would have had a hard time holding their heads up, and that's why those people went out on strike. They were forced to go out on strike. If the government

wants to make things fair in collective bargaining in this province, why doesn't it put the same obligations on corporations as it is trying to put on the workers?

**Mr. Norton:** Is the member advocating we should legislate them back to work?

**Mr. Martel:** It is a class society up there.

**Mr. Speaker:** Will the member for Timiskaming just ignore the interjections from the other side and deal with the provisions of Bill 1, please?

**Mr. Bain:** Thank you very much, Mr. Speaker. Coming to this particular situation that we find ourselves with here in Toronto and for which we have brought forth Bill 1 to try to resolve, we see a situation that has resulted in a strike. The Minister of Education (Mr. Wells) was asked many times before this strike took place—I can remember a full week in which he was asked every day—what was he doing to try to resolve the situation. Every day he said: "It hasn't run its course yet. I don't want to intervene prematurely."

He didn't seem to have the same deal of concern at that time as he has right now. So we have Bill 1 and he wants to put the teachers back to work. But what is he willing to offer them? Almost nothing.

**Mr. Martel:** Nothing. There is no floor.

**Mr. Bain:** They go back to work and they are going to—

**Mr. Warner:** Just \$7,800.

**Mr. Bain:** —be subjected to compulsory arbitration. The government doesn't even have the courtesy to put in a base.

**Mr. Martel:** The government's last two compulsory arbitration bills contained that, by the way.

**Mr. Johnson:** The member for Sudbury East is not talking now.

**Mr. Bain:** It just goes to show that we speak and assist one another. We are not divided like others. The government doesn't even have the courtesy to say that if the arbitrator decides in favour of a settlement higher than the Anti-Inflation Board allows that the government will go and try and make the case to the Anti-Inflation Board in Ottawa. Or it doesn't do as it did in the little agreement that the Treasurer (Mr. McKeough) signed with Mr. Trudeau; it doesn't say that it will get involved and exempt this particular contract.

I wonder why the government allowed the liquor licences in this province to go up 500 per cent for special occasions. The government likes to get a lot of revenue, why doesn't it subject itself to the same guidelines to which it now wants to subject the teachers and other working people?

Interjections.

**Mr. Bain:** I must agree, as a teacher, that there does come a point when the students are in jeopardy of losing their year. I want to just add one thing—and maybe the members opposite don't realize this because, of course, I don't expect many of them have ever been out on strike. They seem to think that people like to go on strike; they think it seems to be a fashionable thing that people do when they have nothing that is exciting in their everyday lives.

I will guarantee you, Mr. Speaker, that no teacher went out on strike or will ever go out on strike in this province with a good feeling about it. I know teachers who've taught for years and years, and only a few years ago would never in a million years have gone out on strike. The government forced them into that position—

Interjections.

**Mr. Bain:** —and they feel a tremendous amount of frustration.

They are, on one hand, trying to obtain a decent standard of living using the only avenue the government has left to them, that of a strike. That's the only avenue it has left to working people. Mind you, it tries to curtail it as much as it can, but they still have that one safeguard left.

They're also torn, on the other hand, with their obligation to their students. Teachers feel a tremendous amount of dedication to their students. If it wasn't for that dedication to their students, I would guarantee you, Mr. Speaker, most of them wouldn't be in education any more because the government has made it darned hard for them to stay there.

Now, in this particular bill we have tried to take—

**Mr. Johnson:** It's tougher to stay out on strike.

**Mr. Bain:** I'll wait and listen to your comments when I'm finished, I'm sure they'll be very interesting.

In this particular bill we feel that although it's necessary for the teachers to go back into the classrooms, we feel that it's also necessary there be a fair piece of legislation that



would send them back. And the government has not provided that. We, in our reasoned amendment, have attempted to do that. We would guarantee that the last offer of the board was the base. We would also guarantee in our amendment that both parties would negotiate again, and that there would be open some avenue of a settlement that would be acceptable to all parties.

**Mr. Norton:** Did you ever think what effect it has on the rest of society?

**Mr. Bain:** In this case, I think the member for Armourdale (Mr. Givens) is right. He is saying what the government perhaps is thinking. It will not give the teachers a reasonable condition under which they will go back to work because it wants to put them in an untenable position. I would suggest that if the education system in Toronto is salvaged, it will be because of the teachers and their dedication to their students, not because of this government's bill.

**Mr. Speaker:** Does any other member wish to participate in this debate? You used to be Sandwich-Riverside.

**Mr. Burr:** You don't recognize me, Mr. Speaker?

**Mr. Kennedy:** You look familiar, Fred.

**Mr. Speaker:** The member for Windsor-Riverside.

**Mr. Burr:** Thank you, Mr. Speaker. I should like to speak briefly, without recrimination, without name-calling, without blame-placing, just to try to clarify one or two of the issues before us. We have been called back here today to pass a bill which makes two proposals. They are in the explanatory notes and I wish some member would read them, because they are very clear.

One proposal is that we shall settle the outstanding matters in dispute, and when we look into the inside, we find that it is to be done by compulsory arbitration. The other point in the explanatory notes is that we shall legislate the teachers back to work.

[9:00]

Now we in the NDP have said no to (a) part and yes to (b) part. We have said no to (a) part because we have what we think is a much better solution. So we have said the government is half right, and by 10:30 this morning the second point, putting the teachers back to work, was settled. It was eliminated as an issue, and yet two or three hours of verbiage have been spent on an issue that was settled around 10:30 this morning.

The remaining issue is compulsory arbitration or something better.

**An hon. member:** Better or just different?

**Mr. Burr:** Something different, which we think is better.

Now the difference lies in whether the settlement is to go to compulsory arbitration, to which all three parties profess to be very reluctant to resort, or whether there is a better alternative. We believe there is a better alternative.

Anyone can draft a compulsory arbitration bill. We spent a considerable time trying to come up with a bill that would look toward next week. It has been said and taken for granted that there is going to be bitterness and frustration. Our purpose, I think our main purpose, was to soften this bitterness and frustration, to make conditions next week better.

We believe that the teachers' returning to work under compulsory arbitration is not conducive to the rebuilding of the educational atmosphere in the secondary schools of Toronto. To the contrary, it is conducive to continued bitterness and frustration. On the other hand, a return to work, if tied to a return to the bargaining table, we feel would be genuinely helpful in the restoration of the necessary rapport between teachers, students, parents and the various communities. This is a rapport of utmost importance in the next week or two.

If members of the Legislature would like to require the teachers and the boards to use the final offer selection provision of Bill 100, and set a time limit, that at least would be better than the compulsory arbitration method. The short-term benefit of our proposal, continued collective bargaining, includes teacher morale, classroom atmosphere and community reconciliation. The long-term benefits of our proposal, continued collective bargaining, are also very important and they are considerable.

Collective bargaining in good faith would not be hampered in other disputes that are on the horizon and actually close at hand. As will be the case, in some instances there will be some school boards, not many I hope, that will take this attitude in the event of a strike or in the event of the threat of a strike.

This is the first time, by the way, I have heard striking referred to as a luxury. That has been replied to, though, so I shall not expand on that.

**Mr. Martel:** Aren't we lucky? We gave them that privilege.

**Mr. Burr:** But such school boards would know that the Legislature would take them off the hook by legislating compulsory arbitration after about 40 days. This knowledge, or the belief in this theory, would weaken the collective bargaining process significantly, fostering similar situations that will require government action, perhaps on frequent occasions.

If the Legislature were willing to adopt our proposal—back to the desk and back to the table—the negotiating teams or boards and teachers would then know that the members of this Legislature held in high esteem genuine collective bargaining and wanted speedy settlements instead of prolonged stalemates.

The present government proposal before us—back-to-work legislation combined with compulsory arbitration—will make it easy for all kinds of public bodies to forget about good-faith bargaining and rely upon the Legislature to win their negotiation battles for them.

As I see it, voting for Bill 1, with its compulsory arbitration, is tantamount to adding to Bill 100 of last year a clause which says in effect that after about 40 days of strike or lockout the Legislature shall be called and shall legislate an end to the strike or lockout and a settlement shall be arranged by compulsory arbitration. Those who vote against our reasoned and reasonable amendment will be voting against sending the teachers back to work and back to the bargaining table. Now it would be dishonest for us to claim, when they do that, that they voted against sending the teachers back to work, period. By the same token, when we do not support the bill, we will be voting against sending the teachers back to work under compulsory arbitration, and it would be dishonest for anyone to say that we were voting against sending the teachers back to work, period.

Let us be quite clear about the two votes. The back-to-work issue, as I said, was over at 10:30 this morning. The issue now is compulsory bargaining or continued good-faith collective bargaining; and, Mr. Speaker, I support return to work with continued collective bargaining.

**Mr. Foulds:** There are two principles in this bill, both of which I find great difficulty in dealing with.

The first principle deals with the return to the classroom, the back to work aspect of the legislation. The second principle—and I want to underline these two key principles because it is relevant and something that I'll be saying later in the speech—the second principle is that the bill imposes compulsory arbitra-

tion. I think it is important to separate those two principles, which we have tried to do in our reasoned amendment.

The minister's statement, I think, set a healthy tone for the debate, and at the risk of incurring the wrath of the *Globe and Mail* once again—

**Mr. Samis:** Risk not.

**Mr. Foulds:** —I would compliment the minister for setting that tone, because I think whatever position we take in this House, in any of the three parties, I think what we must attempt to do, as clearly as possible, is re-establish a healthy climate in the educational system in Metropolitan Toronto. That is not going to be easy, and this legislation does not make it easier.

One of the things, that I found disappointing in the minister's opening remarks, however, Mr. Speaker, is that his defence of Bill 100 and of the Education Relations Commission was not more vigorous than it was.

**Hon. Mr. Wells:** That comes in my next speech.

**Mr. Foulds:** Good; because I want to say very clearly that I find myself in the peculiar position from time to time of having to defend the minister against his own colleagues. We had to do it, as I recall, on Bill 100 itself from time to time.

**Mr. Martel:** How many times did the member take them around the corner to talk to them?

**Mr. Foulds:** I suppose it is a somewhat compromising position to find oneself in, but if it serves the educational betterment of this province then I am prepared to do that.

Nobody at the time of the debate on Bill 100, not even the minister, not even the education spokesman for the Liberal Party or for the New Democratic Party at that time, claimed that Bill 100 was perfect. Nobody claimed we would be entering upon a new Utopia in teacher-board negotiations. What we claimed, and what I still fervently believe to be true, is that teacher-board negotiations would be regularized and would be improved, and hopefully that would result in an improvement in the educational system. And it has done.

It is true that with this experience probably some amendments need to be made to Bill 100 and probably the Education Relations Commission needs to define its role and the roles of its functionaries, such as the fact-finders more stringently and more precisely.



But I put to the minister that at about this time last year we had three strikes either upon us or about to be upon us in the educational system, every single one of which was as debilitating to the community and to the students and to the teachers and to the trustees in their communities. It happened to be Thunder Bay, Windsor and Ottawa. Thunder Bay happens to be 1,000 miles from Queen's Park and the media centre of Toronto. Ottawa is almost 500 miles away, as is Windsor.

**Mr. Mancini:** Windsor is 250 or 500 round trip.

**Mr. Foulds:** In southern Ontario traffic, to us northerners that seems like 500.

**Mr. Good:** Our roads are not so good down here.

**Mr. Foulds:** The record of the Education Relations Commission this year is not a bad one. Frankly, Mr. Speaker, I put it to you that without Bill 100 and without the Education Relations Commission, at this point in time this year where would we be? We would be deeper into the forest than we are now because of contracts which expired on Aug. 31, 1975. All of the public elementary contracts, with the exception of one, were settled. This is my information.

**Hon. Mr. Wells:** That's settled now.

**Mr. Foulds:** That's settled now. This is my information as of Jan. 9. All of the elementary public contracts are settled and all separate contracts are settled.

**An hon. member:** All under Bill 100.

**Mr. Foulds:** There are nine contracts in the secondary area that are not settled—these are all under Bill 100—out of approximately 300 to 400 contracts. That's not a bad batting average for the first year of operation of a new bill and of a new commission. Of the 34 contracts that expired on Dec. 31, 1975, half of them are settled.

I'm glad to hear that in his second run the minister is going to make a more vigorous defence of his legislation and of the Education Relations Commission—that is his Bill 100 legislation. He is going to have to make that defence, because with this bill he is to some degree damaging and weakening his general legislation.

[9:15]

During the course of the minister's opening remarks the minister said: "We are presenting a bill," Bill No. 1, "which has two main objectives: (1) get the high schools of Metro Toronto open and operating by next

Monday; and (2) provide a means of equitable settlement in the dispute that has caused this strike and lockout."

I put to you, Mr. Speaker, that the bill fails on both those counts. The schools will not be operating normally next Monday because he has in the terms of his bill forced compulsory arbitration which will exacerbate the situation, which will increase the resentment with which the teachers go back to work.

Because the minister has failed to put in a floor that the arbitrator must work from he has failed to provide a means for an equitable settlement.

Third, Mr. Speaker, the bill, in the minister's statement, fails because the bill should have a third objective; and that third objective should be the rehabilitation of the school system of Metropolitan Toronto.

I think I am probably as concerned as anyone in this House with getting the school kids back into the classroom. I don't mind telling this House, Mr. Speaker, that of all people in our caucus I probably had the most personal difficulty with the traditional approach that our party takes to compulsory, binding arbitration, because as education spokesman for this party I must consider, perhaps more than other members, all aspects of the community, all aspects of the educational community.

What decided me that I could not vote for compulsory arbitration as it is proposed in this bill is the way that this bill presents it. This bill is merely concerned with getting the kids back through the doors of the classroom as a window-dressing measure.

I think we have to examine why this strike took place. Why did the breakdown in the negotiations occur? I think that that occurred not because of weaknesses in the collective bargaining process, not because of weaknesses in Bill 100, but because of weaknesses in the educational system so great that that system is so wounded that psychologically this strike was necessary for both sides. That speaks volumes about the state of education in our society today, and the way that it is perceived by the public, by legislators, by government and by those participating in it.

The job of being a teacher is a difficult one under the best of circumstances. You know, in terms of history even mediocre politicians are remembered. In terms of history even mediocre generals, like Brock, are remembered. In terms of history I suppose only three teachers are remembered—Socrates, Christ and Confucius. It is not a job that brings one glory, that brings one kudos, that

has the ego-satisfaction of press or publicity. The job, with the pressures that society is loading on the educational system, is difficult no matter what one is paid.

I remember thinking as a teacher myself, some six years ago, that even if they paid me \$25,000—which they would be paying me today as a matter of fact—

**Mr. Shore:** Even?

**Mr. Foulds:** —even if they paid me that amount it wouldn't be worth it for the administrivia, the frustration, the ennui, the sheer crap that one has to put up with.

**Mr. Shore:** This is a lot easier isn't it?

**Mr. Riddell:** Maybe you wouldn't be acceptable in the teaching profession.

**Mr. Foulds:** It could be, it could very easily be. I could always become one of the unwashed masses that the member's colleague from Armourdale talked about, because I have worked on the railways and in the pulp mills and in the bush and I am proud and happy to do that.

**Mr. Shore:** So you should be.

**Mr. Foulds:** So I should be, right on, absolutely. To me, the most important thing is not merely to open the doors of the schools and to get the students off the streets, to me the most important thing is for a genuine education environment to be created, starting next Monday. Does anybody in this House seriously think that this Draconian form of compulsory arbitration will do that?

**Mr. Martel:** Arthur Meen does.

**Mr. Foulds:** And why, oh why, when compulsory arbitration is used, as I very reluctantly admit from time to time perhaps governments and Legislatures have to do, but why, oh why, when compulsory arbitration is used by this government, using this House, is it always against the rights of the workers? I know of no single instance where this ministry or this government has brought in compulsory arbitration to benefit the workers when management has flagrantly flouted the spirit of the Labour Relations Act.

I could get into a long discussion about a dispute that I have been intimately involved in and that the ministry is doing everything within its power to resolve; and I give it credit for that, I give it a lot of credit for that. But the legislation within which it is working does not allow it to do it really, although hope still springs eternal. That is the

little—well not little to the people involved—the unfortunate dispute at the Port Arthur clinic. Yet in those cases the ministry cannot seem to bring itself to recommend to the government and the government cannot seem to bring itself to approve of a compulsory arbitration that would favour the workers, especially on first contract disputes.

So in my experience in this House, every time we have faced compulsory arbitration it has always been directed toward and against the employees.

To me if legislation is needed, and I am conceding that need, it needs to fulfil three basic requirements: 1. It must not abrogate the essential principles of Bill 100 nor must it irreparably damage the collective bargaining process. 2. It must provide for an honourable settlement. 3. It must reopen the schools in such a way that the wounds will heal.

I submit to you, Mr. Speaker, that our reasoned amendment would do that. I submit that you don't amputate a leg to staunch the bleeding in your big toe, and that's what this piece of government legislation does. If you like, what our reasoned amendment does and attempts to do is it provides for the reopening of the classrooms and it provides for the reopening of those classrooms as rapidly as does the government legislation.

I admit freely that our reasoned amendment has an element of compulsion about it. It provides for compulsory negotiations but it preserves the principle of collective bargaining; in fact our reasoned amendment insists on it.

I admit our reasoned amendment says that the strike procedure in the collective bargaining process outlined in Bill 100 has failed. The strike procedure in the collective bargaining process in the Port Arthur clinic dispute failed too and the girls had to go back into work to preserve their jobs. But our reasoned amendment says the collective bargaining process, of which the strike process is only one portion, is still valid and still possible and it preserves that.

Secondly, it is my contention that the legislation must contain the basis for an honorable settlement. I make the assumption that the last board offer was made in good faith and, therefore, as it was made in good faith by the negotiators I think it should be guaranteed. I think that the minister's legislation is Draconian, and deliberately Draconian, because it leaves a deliberate uncertainty hanging over the teachers about the terms of the settlement. They do not know the floor to which the arbitrator could plunge.



That was not an uncertainty that the minister felt should be inflicted upon the York county teachers. There was a clause in that bill, clause 4, that guaranteed the teachers a whole salary grid and guaranteed that certain working conditions would be items for negotiation.

This piece of legislation does not guarantee a floor. The government has brought in legislation, as many people have said, with regard to the Toronto Transit Commission strike which guaranteed a floor to the striking workers. So I submit to you, Mr. Speaker, that the government has not displayed as much good faith as they should have over this bill to reinforce the faith they should have in Bill 100. It may be there, but the government good faith is not on display.

Third, the schools must reopen; and they will reopen quickly on the government's model, but under what kind of atmosphere? Frankly, I shudder to think what the atmosphere will be like on Monday in the schools of Metropolitan Toronto when I see articles that are highlighted in the Toronto Globe and Mail.

As a matter of fact, I had a review made of the clippings from the major Toronto dailies about this dispute. It's interesting that the Globe and Mail in particular has been consistently negative, and not just toward the teachers; they've been anti-OSSTF, anti-board, anti-Education Relations Commission and anti-government. There's a kind of unhealthy negativism creeping into that paper. [9:30]

**Mr. Lewis:** Not just in its editorials either.

**Mr. Foulds:** Even in the way the stories are placed. There were the pictures this morning on the front page and a front-page story where a student representative warned he would urge a student walkout if "Metro striking high school teachers are legislated back to work and try to vent their anger on the students by overworking them."

I ask you in what kind of an atmosphere does such a statement get made? How much is overworking the students? Is it asking them to do an extra half-hour's homework? I suppose in this day and age—forgive me for being an old-fashioned square—it may be that asking them to do homework at all may be considered to be overworking them.

This student went on to say:

It'll be rough inside the classrooms. There'll probably be a little heat. If the teachers try to put the load on the kids, I won't go for it. If the worst comes to

the worst, I would recommend a student walkout. Let the teachers sit in the classrooms.

My God, Mr. Speaker, that speaks volumes about the educational system.

**Mr. Martel:** It tells what the papers have done to the issue?

**Mr. Foulds.** Our reasoned amendment opens the schools just as quickly, and I submit that under our terms two improvements would take place. The atmosphere for the possibility of education would be improved; and the atmosphere for negotiations would be improved, not only in this contract but in future contracts.

As I understand it, the parties are apart on four specific items in particular. Although they may seem small to the world at large, and even to us as legislators, one of them in particular, the particular manner of the fold-in clause, does seem to be a fundamental principle to one side. They aren't that far apart on money, and if that procedure—and surely that's a mechanical procedure that can be worked out by reasonable people—if that procedure can be worked out, I am convinced there could be a negotiated settlement.

I didn't plan to deal with this at this particular stage; I was going to deal with a couple of specific provisions in the bill. I don't know how real this is because I don't know how real the life is in this Legislature when one starts at 10 o'clock in the morning and continues through until 10:30 at night, having had a bit of a trying caucus meeting the day previous; and although having slept soundly for four hours, some of one's perceptions may not be as acute as they might be. But word seemed to filter out of the Premier's (Mr. Davis') office late this afternoon that if an amendment establishing a floor were passed in committee of the whole House, the government would consider that to be a matter of confidence.

**Mr. Lewis:** That's what we were told; and we are moving that amendment.

**Mr. Foulds:** Now, Mr. Speaker, I ask you—it is to laugh, it is to laugh.

**Hon. Mr. Wells:** We would consider a vote on an amendment establishing a negotiating floor a vote of confidence.

**Mr. Lewis:** You mean you would call an election on inserting a floor for the teachers which you yourself have done in preceding bills. Well we are going to call your bluff; you decide.

**Mr. Speaker:** Order please. The hon. member will continue.

**Mr. Lewis:** We will call your bluff.

**Hon. Mr. Wells:** There is a difference between them.

**Mr. Lewis:** Well then you put it on the floor and let us see. You provide the alternatives.

**Mr. Speaker:** Order, please. The hon. member will continue.

**Mr. Foulds:** The two essential principles in the legislation are the reopening of the classrooms and compulsory arbitration. Those are the principles in the legislation. The rest of the bill is operational fallout. The floor has been a principle that this government has endorsed and put forward as legislation in the past—

**Mr. Martel:** You want it both ways.

**Mr. Foulds:** —in teacher disputes and in the Toronto Transit dispute. If the government can stretch, by some wild fantasy, that an amendment in committee stage that does not attack the two stated essential principles of their bill but guarantees an honourable settlement is a matter of confidence, then this is a government that is not worthy of the name. And, Mr. Speaker, we will be calling their bluff on it.

If this government really does want to fight an election on whether or not there is a floor in a compulsory arbitration bill, where they have included it in past legislation—

**Mr. Martel:** There is somebody sick.

**Mr. Foulds:** —well their inconsistency in trying to explain that one away is going to be beautiful to behold on the hustings.

**Mr. Martel:** Is that the emotional issue the Premier is looking for?

**Mr. Foulds:** I suggest to the Conservative Party that they get their overshoes, their galoshes, their earmuffs and their raccoon coats ready right now.

**Mr. Martel:** The Premier found an emotional issue.

**Mr. Speaker:** Order, please. The hon. member has the floor.

**Mr. Foulds:** Mr. Speaker, I want to conclude with two thoughts.

**Mr. Martel:** Their applause proves they were listening to you.

**Mr. Foulds:** Now that I am encouraged by my friends from the other side of the House, Mr. Speaker, by that spontaneous endorsement, camaraderie and respect, I will continue.

**Mr. Kennedy:** You might as well.

**Mr. Grossman:** For another hour?

**Mr. Foulds:** Thomas More once said that the principles that a man believes constitute his self, his person, and he holds those in the palms of his hands, cupped, like a cup of water; and if he once opens his fingers to let those slip away, how can he ever hope to find his essential self again.

**Mr. Shore:** What did you do with your fingers at throne debate time?

**Mr. Foulds:** I submit that is the problem that I and many of my colleagues faced when it came to compulsory arbitration. I submit to you that this government made it easy for us when we actually saw the form of that compulsory arbitration. I am not prepared to abandon that principle on the terms the government is prepared to legislate it.

Secondly, Mr. Speaker—and I hope I do not get too esoteric—but it seems to me that as legislators, certainly as individuals, we should approach legislation on the principle of Kant's categorical imperative, which essentially is that every decision that we make, whether it pass or fail, must be made on the basis that if what we do were done by all it would result in more good than harm.

I submit that our alternative in the reasoned amendment results in more good than harm in a far greater proportion than does the government bill. As politicians, we recognize the necessity for compromise in our alternative, and it is a significant compromise. But it is an alternative that is positive, constructive and creative and one that will work.

I have no hesitation whatsoever in rejecting the government bill as it is worded and accepting and supporting the opposition's reasoned and reasonable amendment. I urge the House to do so.

**Hon. Mr. McMurtry:** I regret very much that I was not here personally earlier in the day to hear some of the contributions of the members opposite, with respect first to the constitutionality of the federal legislation, which I certainly don't intend to dwell on in view of the fact that this is a debate on principle. But I am concerned with the allegations that were made according to the—

**Mr. Nixon:** What could be more a matter of principle than that?



**Hon. Mr. McMurtry:** —transcript that I've been able to obtain, as to the suggestion that the agreement that was entered into by this province a couple of days ago, was of an illegal nature.

**Mr. Renwick:** It is too bad the ones who made the allegations are not here tonight.

**Hon. Mr. McMurtry:** The word illegality was thrown about in a very loose fashion. In my absence the government was challenged as to what the legal basis was for the government of this province entering into an agreement with the federal government with respect to the implementation of the federal anti-inflation programme.

I want to advise the House that I have a legal opinion that was prepared at my request by my law officers for the provincial Treasurer (Mr. McKeough). Although I don't think it's proper parliamentary procedure to table such an opinion given by law officers to a member of executive council, I'm quite prepared to supply this opinion to any of the members upon request.

**Mr. Nixon:** We do request it.

**Hon. Mr. McMurtry:** I'll see that that is done; and certainly for the leader of the Liberal Party I have a copy that I can send across the aisle in the next moment or two.

Again it was argued or suggested that we were dealing with a delegation of authority from the provincial to the federal government. I would simply like to reiterate what I have said in the past on a number of occasions, that this is not a case of delegation but a case of the proper exercise of the federal government's constitutional rights in relation to a matter of peace, order and good government, namely, a matter of national urgency. This government is still strongly of the view that inflation is a matter of national urgency.

I think one of the members opposite, the member for Downsview I believe, was referring to some case involving the Lord Nelson Hotel in Halifax dealing with delegation of powers between the province and the federal government. I would just like to assure the House that the law officers of the Crown considered all these authorities. I must say that we, the people in this province, are very fortunate in having some of the leading constitutional experts in the country serving the people of this province, as I mentioned, on an ongoing basis. The case referred to by the member for Downsview at some length, had nothing to do with the peace, order and good government—

**Mr. Foulds:** It is the member for Wilson Heights (Mr. Singer).

[9:45]

**Hon. Mr. McMurtry:** Wilson Heights, I'm sorry.

It had nothing to do with the matter of peace, order and good government and the exercise of the federal government's constitutional responsibilities as well as authority in that respect. In relation to the matter, that was again touched upon, as to whether or not there should have been a further debate in this House with respect to the establishment of a provincial board for the administration of the anti-inflation programme, of course Mr. Speaker I would like to remind the House that this matter was, in fact, the subject matter of an amendment to the Speech from the Throne which all members will recall was debated at some length. The Liberal amendment to the Speech from the Throne was, in fact, defeated by the government members and the members of Her Majesty's Loyal Opposition sitting opposite.

**Mr. Nixon:** Otherwise known as the NDP.

**Hon. Mr. McMurtry:** So for any one to suggest that the matter has not been fully debated, of course, is just simply not in accordance with the facts. But insofar as the legality of the agreement that has been entered into by this government is concerned, the authority to enter into this agreement does not emanate from this government but does emanate from the federal legislation, the constitutionality of which we accept. It's the federal legislation which states that the implementation of the mechanism of the federal Anti-Inflation Board shall be done by an agreement entered into by a government of the province, and it's fact that the authority for such an agreement comes from the federal Parliament.

As I've already said, Mr. Speaker, the legal opinion was prepared some time ago at my request and copies will be provided to any of the hon. members upon request.

**Mr. Reid:** Mr. Speaker, I wonder if the Attorney General would submit to a question? Can he explain to us what the authority is for the province to enter into such an agreement? He's done it by order in council. Does it not require statutory authority for him to pass those powers over to the federal government?

**Mr. Speaker:** Order, please. This has nothing to do with the principle of the bill.

**Mr. Ruston:** We've been talking about it for 15 minutes.

**Mr. Speaker:** Order, please.

**Hon. Mr. McMurtry:** Mr. Speaker, I have made it quite clear on past occasions that this was not required. As to the legal authority for the entering into of such an agreement by order in council, I've said I would be quite happy to provide the authorities to my friend. It is rather lengthy and involved; I would be quite happy to relate them to the House as a whole but it would take some time. I'm sure that the House members would be quite happy to receive it in written form.

**Mr. Speaker:** Order, please. The hon. member for Riverdale wishes to speak.

**Mr. Renwick:** Mr. Speaker, I would like to speak for a few minutes on Bill 1. I understand that I will be the last speaker for our party and I will attempt to sort out a few things and perhaps try to set for the House the purpose of our amendment—what we are endeavouring to do; what impressions we have formed of the comments made by members of the Liberal Party and by the government members who have spoken in the course of the bill.

This legislative assembly never ceases to amaze me because, having been here for some considerable period of time and having arrived in the Legislature at a relatively early hour this morning, I of course was waiting for the bells to ring in order to attend the assembly to hear Her Honour give the address from the throne. Having forgotten, if I ever knew, that nicety of parliamentary procedures where the bells are not rung on opening day, I missed the opening of the House.

**Mr. Nixon:** There was no breathing NDP in the House.

**Mr. Renwick:** We all missed it for the same reason. We're not up on the parliamentary niceties; the substance of matters, yes, but not the parliamentary niceties. They sometimes escape on us.

I wanted to say that because I wanted you to understand, Mr. Speaker, that when a matter such as this comes before the assembly I think it is important that we understand, all of us in the Legislature what we in this party are about, particularly in the year 1976 as distinct from what—

**Mr. Reid:** It didn't used to matter, I guess.

**Mr. Renwick:** —I would refer to as the ecumenical or honeymoon session, or the first session of the 30th Parliament. Now in 1976

the political realities are apparent in the debate.

We tried by way of a reasoned amendment—and I emphasize the word "reasoned," to distinguish it from some other amendments which from time to time come before the House—we tried and we had several reasons and several purposes. I want to share them with you. Our first reason for introducing the reasoned amendment was to try to put together in the Legislature a sufficient number of votes to defeat the government on this bill.

Let me talk about a political reality. This Legislature, this Parliament, will be dissolved when the Premier of the province (Mr. Davis) decides that it is in his interests to dissolve this Parliament and to call an election. That is when it will be called. We recognize that. But we also recognize something else—that if, in certain circumstances, we can put together a sufficient number of votes, obviously depending on the support of our colleagues to the left, to defeat the government on a bill of importance to the government, we can at least create the situation in the public perception that the government should dissolve the Parliament and an election should be called.

That is what we tried to do in the reasoned amendment. What we wished to accomplish was the defeat of the government on this bill.

**Mr. Sweeney:** In other words, the teachers didn't matter.

**Mr. Jones:** Or the students.

**Mr. Sweeney:** Or the students.

**Mr. Reid:** Where were they before Christmas? Where were all the high principles before Christmas?

**Mr. Speaker:** Order, please.

**Mr. Reid:** Where were you before Christmas?

**Mr. Speaker:** Order, please. The hon. member for Riverdale will continue.

**Mr. Nixon:** You voted with the government.

**Mr. Reid:** You voted with the government before Christmas.

**Mr. Nixon:** You weren't so interested in putting together a majority at that time, were you? Don't be so hypocritical.

**Mr. Speaker:** Order, please.



**Mr. Renwick:** Mr. Speaker, if the hon. member would allow me a brief parenthesis, before I develop my remarks further, to deal with that specific question. My friends in the Liberal Party have great difficulty—I have listened to the member for Renfrew North (Mr. Conway)—

**Mr. Nixon:** Sure, he is right here.

**Mr. Renwick:** Sorry he can't speak to me, he is in the wrong seat. I have listened to him. I have listened to other aspirants to the leadership of the Liberal Party.

**Mr. Nixon:** The member for Renfrew North is making an announcement tomorrow.

**Mr. Renwick:** Never you mind—

**Mr. Bain:** That's why he is sitting on your right hand.

**Mr. Renwick:** I have listened to the great constitutional experts who line the front bench of the Liberal Party. I said today to the member for Ottawa East (Mr. Roy), who is not in the House, that perhaps in simple English I could explain the position of the party—

**Mr. Nixon:** Oh, it's going to be one of those elaborate speeches. We are going to get the whole thing in context.

**Mr. Reid:** The Bible according to Renwick.

**Mr. Renwick:** The Liberal Party wants to somehow or other dissociate itself from the federal Liberal Party.

**Mr. Reid:** Do you blame us?

**Mr. Martel:** I don't think so.

**Mr. Renwick:** But you see, you can't really bring yourself to do it.

**Mr. Shore:** Oh yes, we can. Just watch us.

**Mr. Renwick:** No, they adopt and accept the guidelines of the federal Liberal Party introduced into law in the country and the only difference that they see about it is that they want a parallel enforcement operation set up in the Province of Ontario.

**Mr. Reid:** That was your position as well.

**Mr. Shore:** Your leader said you wanted it.

**Mr. Speaker:** Order, please.

**Mr. Reid:** You voted for it; that's what you said.

**Mr. Renwick:** They accept the price and wage guidelines of the federal government

and they want to set up a parallel organization.

**Mr. Reid:** And you don't?

**Mr. Renwick:** We don't accept the wage and price guidelines of the federal government. The law has been passed and we are bound by them. We don't accept the philosophy behind them, the political judgement behind them or what is happening to the economy of Canada as a result of it.

**Mr. Reid:** You accepted the proposition of the provincial jurisdiction. Your leader said that. Are you denying that?

**Mr. Speaker:** I wonder if the hon. member could return to the principle of this bill, please.

**Mr. Renwick:** We would not want to be associated with an amendment by the Liberal Party that in any way could be misconstrued by the Liberal Party to think that we support—

**Mr. Singer:** Oh, come on.

**Mr. Renwick:** —the policy of Prime Minister Trudeau and his government at Ottawa.

**Mr. Speaker:** Order, please. Would the hon. member return to the principle of the bill, please?

**Mr. Reid:** You are squirming like the Leader of the Opposition (Mr. Lewis) was earlier today and you can't get out of it.

**Mr. Renwick:** Thank you for permitting me that parenthesis.

Interjections.

**Mr. Nixon:** It is your finest hour. The Leader of the Opposition is going to set you right.

**Mr. Reid:** Here comes a play from the bench.

**Mr. Speaker:** Order, please.

**Mr. Nixon:** You were saying of majority.

**Mr. Renwick:** I was saying that it was our purpose on this bill to defeat the government. We know, as I said, that we can't do it. Why do we want to defeat the government? Because this Bill 1 is an abject defeat for the government of the Province of Ontario. It illustrates what the leader of this party has said, echoed by the leader of the Liberal Party, that the leadership of the government has failed in this instance.

**Mr. Stong:** I think it is the other way around.

**Mr. Renwick:** Do members not think it is ludicrous for us to be sitting here in this assembly in January of 1976 when we passed, in June or July of last year, Bill 100, when this is the first strike that has taken place under Bill 100 and the strike which exists in Metropolitan Toronto is the first living test of Bill 100?

I am going to come back to that a little bit later on in my remarks, but I will leave that for members to ponder should they not wish to listen to some other remarks that I want to make. I want to pick that up a little bit later on.

**Mr. Ruston:** We will ponder it.

**Mr. Renwick:** I want to pick it up a little bit later on in these remarks about the bill.

I have listened as carefully as I could to the remarks which came from the Liberal Party with respect to this bill. I can't say that I either listened to all of the remarks nor that I can remember all of the remarks that I did listen to. I can simply express, first of all, my sorrow and my very deep concern that my friend the member for Armourdale (Mr. Givens), should tonight have introduced into this assembly the kind of rednecked attitude which we in this party expressly dissociate ourselves from as far as the substance of the bill is concerned, as far as the remarks which he made about the teachers and insofar as he endeavoured to associate in the minds of those in the assembly who also have red necks something which I heard the member say, "The working slobbs of our society." I personally was upset and concerned. I can understand the member for Armourdale feeling guilty.

[10:00]

Interjections.

**Mr. Renwick:** He should have felt guilty at the end of his remarks rather than at the beginning. It even made me for one brief moment wish that the Bad Boy had won.

May I now say when I listened to the substance of the remarks of the member for Brant-Oxford-Norfolk (Mr. Nixon), the leader of the Liberal Party, I found he was saying, after the Leader of the Opposition (Mr. Lewis) and not because of the Leader of the Opposition, substantially the same things. I regret that there was not an opportunity, through shortness of time and other reasons, to have perhaps negotiated or discussed at least with the Liberal Party the possibility in depth of their support for our amendment.

I think it would have been important to the Province of Ontario for them to have supported us about the amendment. I regret that we overlooked the fact that there was already fixed in the minds of the assembly a predictable result to the debate, that the Liberal Party would vote with the government on a bill for compulsory arbitration and the New Democratic Party would simply vote against it. When we dared to spend some time thinking out the ramifications of the bill, the importance of the bill, the significance of it both for the teachers in Metropolitan Toronto and for the teachers throughout the Province of Ontario, when we dared not to be predictable—

**Mr. S. Smith:** You tried to have it both ways.

**Mr. Mackenzie:** Don't get out of your league.

**Mr. Renwick:** —the Liberal Party members—

**Mr. S. Smith:** I have to lower myself once in a while. I can't play the big leagues all the time.

**Mr. Renwick:** —couldn't stand it, and we had to listen this afternoon to a tirade about the constitutional questions. I listened to the Attorney General (Mr. McMurtry). The Attorney General said nothing more than he has parroted on a number of other occasions to support a very specious and certainly at least a very "iffy" constitutional proposition. But this is no longer a court of law, the government of Ontario has made its decision. Regardless of the assembly, it has entered into an agreement with the government of Canada and that agreement can only be challenged in the courts. There is no way that we here can now challenge it.

I happen to think of course that the government of Ontario is quite wrong yesterday or the day before yesterday, knowing full well that this bill was going to be debated, to have entered into that agreement. But having entered into that agreement, there is nothing, and this I deplore, that this assembly could do by law or otherwise to alter the terms of that agreement which was tabled in the Legislature today, because like any other agreement you can only alter its terms with the consent of both of the parties, and one of the parties is the government of Canada.

I say to the Attorney General, as I said to him on Oct. 30 when I wrote him the letter that I did write and which I delivered to my colleagues today when I furnished them through the Premier (Mr. Davis) with a copy



of the Attorney General's reply, that the agreement, when it was entered into, would be subjected to a serious flaw. I'm sufficiently aware of constitutional matters to know that nothing is open and shut in the world of constitutional law, but I am prepared to express my opinion. Strangely enough, it coincides with the opinion of the member for Wilson Heights (Mr. Singer), the member for Sarnia (Mr. Bullbrook) and, I believe, the member for Ottawa East (Mr. Roy) that if tested in the courts that agreement would be found to be unconstitutional.

It certainly patently flies in the face of parliamentary democracy. To think for a moment that the government of Ontario can designate itself in the agreement as the province, it reminds me of Sir Francis Bond Head. Only the executive council of the family compact could have said, "We are the province." Yet that's what this said. The government of Canada at least states that it is acting on behalf of Canada by virtue of the legislative authority of the House of Commons and the Senate and the assent which was given to Bill C-73. There is no such authority for that legislation.

That legislation, in my judgement, is unconstitutional, and I trust that a person who has standing in the courts, an organization which has standing in the courts, which can be heard to argue the constitutionality, will do so, not because of the constitutional niceties of the game but because the substance of it is wrong. I say again that this document represents another failure of leadership of the government consistent with and tied in with Bill 1, which was introduced today, because it was signed deliberately and purposely to have it in force when we were considering Bill 1.

It's all very well for the Attorney General of the Province of Ontario to explain to us that the authority of the government of the Province of Ontario to enter into this agreement flows from the legislation passed by the Parliament of Canada, which authorized the government of Canada to enter into an agreement with the government of Ontario. There's no authority that can be conferred by the Parliament of Canada upon the government of the Province of Ontario, and it's constitutional nonsense to say that it can be done.

Even if I were to accept the validity of the position of the Attorney General (Mr. McMurry), the law officers of the Crown, the Treasurer of Ontario (Mr. McKeough), the Premier of Ontario (Mr. Davis) and the government of Ontario, if I were to accept the proposition that the question of inflation is a

matter of inherent national concern and therefore overrides the jurisdiction of this Legislature, I could accept it as a position of integrity which would be open to debate on constitutional matters or argument in a court of law by those who wanted to argue. But I say there is no integrity left in the government, because the government signed an agreement with the government in Canada in the face of the opinion of the Attorney General, and, I am certain, with his knowledge that it contained the recital referred to by my colleague, the member for Sarnia this afternoon, which I will now read:

And whereas it is understood that neither Canada nor the province shall be deemed by reason of having entered into this agreement to have surrendered or abandoned any of the powers, rights, privileges or authorities vested in it under the British North America Act, 1867, and any amendments thereto, or to have impaired any of such powers, rights, privileges or authorities.

It's legal gobbledygook to say that this does not alter the constitutional relationships between the province and the federal government. That's what that language says. The Attorney General said the authority to enter into it flows from the Parliament of Canada. I am going to set it aside. It is no longer worth consideration in the assembly. It's tragic, it's unfortunate; I hope that somebody will challenge it and have it set aside.

I would like to turn now more specifically to the actual principle of the bill, Mr. Speaker. Believe me, I only dealt with the constitutional matters—even though the Speaker had ruled them out of order earlier today, or tried to rule them out of order—because the Attorney General of the province had chosen to make some remarks about them tonight, and because my colleagues to my left had spent a considerable amount of time on them this afternoon. They bear very considerably upon the guts of Bill 1.

Perhaps before I leave the agreement, I might just make one political comment about it. Of course the government took this particular shaky road for one reason and one reason only. They knew very well that if they introduced legislation into the legislative assembly of the Province of Ontario giving them the authority to transfer the jurisdiction over the public sector to the federal government, that legislation would not pass. It's clear now that my colleagues on the left would not have supported the legislation by virtue of the reasons which were given in their amendment; namely, that that amendment demanded and required that there be a parallel provincial

apparatus to enforce the federal guidelines so far as the public sector was concerned.

I believe that to be the position which they would have taken. We in our turn would not have supported it; not for that reason, but because we do not accept the political judgments of the federal government with respect to the wage and price guideline proposals.

**Mr. MacDonald:** And neither did the government of Ontario prior to the Prime Minister's announcement of Oct. 14.

**Mr. Renwick:** We said so many times.

**Mr. Speaker:** Perhaps the hon. member would return to the principle of the bill now please.

**Mr. Renwick:** Yes, I will. So in very blunt political terms, the government had to take the other road or be defeated in the assembly and go to the country on it. Again, we would have enjoyed it, as we would have enjoyed going to the country tonight on the defeat of the government on the principle of this bill.

**Hon. Mr. Wells:** That's not what your leader said this morning.

**Mr. Renwick:** On the principle of this bill.

**Mr. Lewis:** Certainly it is.

**Hon. Mr. Davis:** No, it's not.

**Hon. Mr. Wells:** That's not what Stephen said this morning. You have a strange metamorphosis.

**Mr. Speaker:** Order, please, the hon. member will continue on the principle of the bill.

**Mr. Lewis:** That happens to us from morning to night and night to morning.

**Hon. Mr. Davis:** How did you make out over the supper hour?

**Mr. Lewis:** Fine.

**Hon. Mr. Davis:** That's not what I hear.

**Mr. Speaker:** Order, please.

**Mr. Renwick:** There is no metamorphosis at all.

**Hon. Mr. Wells:** It certainly is.

**Mr. Grossman:** It is called flip-flop.

**Hon. Mr. Wells:** He just said the reasoned amendment was made to defeat this government. I can't—

**Mr. Lewis:** We made that reasoned amendment to have it supported in the House and defeat your legislation.

**Mr. Speaker:** Order, please. Perhaps the hon. member will continue with the principle of the bill.

Interjections.

**Mr. Renwick:** Mr. Speaker, let's not fool around; let's get the sequence of the votes very clear. The vote would have been taken that this bill be now read a second time; had the Liberal Party supported us in defeating that particular motion, our reasoned amendment would have been put. Had the Liberal Party supported us on our reasoned amendment, the government bill would have been defeated and it would have been up to the Premier to decide whether or not he would call the election on that issue.

**Mr. Lewis:** That's right.

**Mr. Renwick:** Now, let's not fool around.

**Hon. Mr. Wells:** That's not what your leader said this morning.

**Mr. Renwick:** Come on, let's not fool around.

**Mr. Yakabuski:** Do you want it?

Interjections.

**Mr. Speaker:** Order please, order please. This is all supposition; perhaps the hon. member would return to the principle of the bill.

Interjections.

**Mr. Renwick:** Well, Mr. Speaker, if there were not so many interruptions I could—

**Mr. S. Smith:** You are feeling sensitive.

**Mr. Speaker:** Order please.

**Mr. MacDonald:** We would have had a good bill instead of a poor one if we had done that. Let me put it this way—

Interjection.

**Mr. Speaker:** Order please, the hon. member for Riverdale has the floor.

**Mr. Renwick:** Let me put it to—

**Hon. Mr. Davis:** You say yours is a good bill; I'll remember that. You don't really believe that.

**Mr. Renwick:** Let me put it to the Minister of Education.



**Mr. Speaker:** Order please.

**Mr. Renwick:** Let me put this to the Minister of Education: That was the purpose of our reasoned amendment. Then it would have been the government's problem about the election, as it always will be about the election. They are the ones who worry about the election, not us.

**Hon. Mr. Wells:** That's not what the member's leader said this morning.

**Mr. Yakabuski:** Not any more, not after BC—no way.

Interjections.

**Mr. Renwick:** And I want to say to the Minister of Education right now, and quite categorically—

**Mr. Yakabuski:** After Australia or New Zealand, no way.

**Mr. Cassidy:** Just wait. Your days are numbered.

**Mr. Renwick:** I say to the minister that if he thinks the question of whether or not a companion clause in Bill 1, similar to the clause which was in the transit workers bill and the York county teachers bill with respect to the settlement of those strikes, that the introduction of that by way of amendments by this party is going to be a matter of confidence on which the government is going to call an election, then I say that reflects upon the integrity of the government. There is no issue—

**Hon. Mr. Wells:** To those who were willing to give leadership.

**Mr. Renwick:** There is no issue on which leadership will be given.

**Mr. Speaker:** Would the hon. member return to the principle of this bill.

**Mr. Renwick:** Well, I thought I had.

**Mr. Shore:** Never mind returning, start on it.

**Mr. Renwick:** Mr. Speaker, for the last time I've strayed from the principle of this bill.

**Mr. Yakabuski:** Let's get Stu Smith elected first.

**Mr. Martel:** Did you ever hear about the little boy who called wolf?

**Mr. Renwick:** Let me, as they say in cooking class, deal with some matters and then set them aside; or fold them in, I'm not sure.

**Hon. Mr. Davis:** I can only say you are in an awful stew tonight.

**Mr. Renwick:** Thank you. I know where we can get steak and kidney pie for two for \$10.

**Hon. Mr. Davis:** Exactly where I found you one night after the opening of the House.

**Mr. Lewis:** The member for Renfrew South (Mr. Yakabuski) can tell you where to wash it down.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Did you say Paul was going to—

**Mr. Renwick:** Mr. Speaker, I accept the good faith of the boards of education in the negotiations. I accept the good faith of the negotiating team for the teachers in the course of these protracted negotiations. I am indebted to the Minister of Education (Mr. Wells) for drawing to my attention that at the close of today we will have finished exactly one year from the time when the Metropolitan Toronto teachers gave notice that they wanted to renegotiate their contract. So it is, in that sense, a historic occasion.

It would be presumptuous of me not to accept the good faith of both parties. It is a very complex, intricate and technical document. Some of the clauses in it are incomprehensible except to those who are immersed in the details of all of the gradations of teacher-board relationships. I certainly think that it would not only be presumptuous but, indeed, arrogant on my part if I did not accept the good faith.

I accept all of the good faith in totality. I accept that there was little if any game playing in the course of the negotiations that went on, or in the way in which the negotiations unfortunately terminated without an agreement having been reached.

I accept it for two reasons. One is that the people who negotiate for the teachers are elected by their organizations and have the support of their organizations in democratic elections. I accept it because the trustees are elected trustees who represent the communities for educational purposes that they serve. I think it does no one any good to castigate or cast aspersions upon the good faith of either of the parties.

If I may also convey an impression which I have, I think that both parties failed considerably in conveying to their real constituencies—the public in Metropolitan Toronto—what they were about. I think the affiliates and the representatives of the teachers did not get across to the parents and to the students in the secondary institutions in Metropolitan Toronto what the issues were, what their version of the issues was, what their version of the problems was and what the needs were as they saw them.

I think that the trustees equally failed. There were some sporadic and very indefinite attempts to inform the public, but basically they engaged in their particular ivory towers in their own form of introversion and in their discussions and debates. That's my impression and I believe it is somewhat widely shared. I have discussed it with a number of people and they feel that way. Perhaps, with a little bit more awareness on the part of the public, there could have been some assessment made of what in fact the public did think about this whole issue. Despite what everybody says, I think there is very little clear indication as to what the parents, the students and the public generally in Metropolitan Toronto think about the present impasse. One can surmise, but there is very little real evidence one way or the other. Symbolically at least, what the Minister of Education told us yesterday about the 224 for and 225 against, or thereabouts, shows the indecision within the community about the views which they should have mainly because, in my judgement, they are ill-informed by the two parties about what the issues were and about what the matters in dispute would be.

Let me then deal briefly with the students. We agree—all of the parties are now totally in agreement—with the statement which was made by the Minister of Education this morning when he made his remarks. He said there were two objectives: to get the high schools of Metro Toronto open and operating normally by next Monday and to provide a means of equitable settlement in the dispute that has caused this strike and lockout. But there is very little doubt in the minister's mind as to which of those objectives is of paramount importance because, late in his remarks, he said: "The factor of paramount importance to us is the educational welfare of the students."

Let me say to the House and to the minister that the objective was to open the schools on Monday. We share that end—all of us. I'll come back to that, but it has been difficult for this caucus to countenance return-to-

work legislation in the kind of situation in which we found ourselves placed by the government of the Province of Ontario.

If the end is to open the schools, then we accept the end. But what justifies the end? Albert Camus posed the question when he said: "If the end justifies the means, what justifies the end?" The only thing that can justify the end is the means and we take issue with the means; that is what our reasoned amendment is about. The means to accomplish it was to provide for the compulsory arbitration of the dispute that exists between the teachers and the boards in Metropolitan Toronto. We do not think that means is justified to accomplish that end. We think the end is justified and can be justified by different means, and only by those means, for very good reasons.

**Mr. R. S. Smith:** I just hope this means the end.

**Mr. Renwick:** The means that we believe justifies the end of the return to the school is to require the parties to negotiate and not to break off negotiations until an agreement is reached. It's just that simple. That is the instruction which is contained in the reasoned amendment which we put before the assembly. It is not to substitute some arbitrator, someone who has never been connected with it, to deal with the matters in dispute and arbitrarily decide what the agreement will be that will cover the employment and working conditions relationships between the teachers and the boards of education for the next two years. On the face of it, the two matters do not stand and hang together. We don't have to have an arbitrated decision in order to support the return to work. That's all we were saying. That's all that our amendment says. Even at this late hour, I would hope that there might be some opportunity for the Liberal Party to reconsider the concerns which we have.

Let me speak a little bit about the difficulty that we have in this caucus. We have said in this House—I have said, my colleagues have said, we have said it on any number of occasions—that to us, the right to strike is the equivalent of any one of the basic civil liberties and is one of those civil liberties of the people of the Province of Ontario.

I could find quotations in Hansard saying that time and time again—whether it was in the Hospital Labour Disputes Arbitration Act; whether it was in the bill with respect to the return to work of the elevator opera-



tors, or the bill with respect to the return to work of the York teachers, or the bill with respect to the return to work of the transit workers.

We have said time and time again that the right to strike is a civil liberty—not a civil right, a civil liberty; a distinction which is very significant in the Province of Ontario. The member for Sarnia (Mr. Bullbrook) shares at least my view of the substance of the bill; not the reasons, and certainly we don't have his support.

We in our caucus last night were faced with the proposition about whether or not we would agree to a suspension of that civil liberty.

**Mr. Riddell:** Seven hours of blood, sweat and tears.

**Mr. Renwick:** Do the members understand it? Do they begin to understand why it took up seven hours to do it, and why we talked about it at some considerable length?

**Mr. Mancini:** I understand it now.

**Mr. Renwick:** Reasonable men and women in the New Democratic Party can discuss these matters without any blood flowing and without any great difficulty. But we at least have the capacity to recognize that it is a civil liberty and that this bill is suspending that civil liberty. I want the House to know that when this party supports the suspension of a civil liberty for no matter what period of time, it is a difficult decision for us to make.

We made the decision. We made the decision because we believe that the community wishes the schools to be open. We came to that conclusion. There is nothing which requires us, having made that decision, to accept the compulsory arbitration of the matters in dispute.

We should be saying to the boards and to the teachers, "Go back to the table. Stay there until you have got an agreement." I cannot for one moment concede that at the point reached in December it was not possible with reasonable good will, with a clear and direct instruction from this assembly that that is their obligation, that they could not sit down and negotiate a settlement in good faith about this dispute while the schools are reopened on Monday.

Now, that is the distinction. That's a real distinction. It's a valid distinction. That is why, if I may say so again, if the end justifies the means, what justifies the end? Of

course, the means. The compulsory arbitration provision is not the means which justifies the return-to-work aspect of the legislation; but the instruction to the boards and to the teachers to go back and negotiate in good faith, close the gap, and reach the agreement and begin to restore the good and mutual relationships which did exist at one time and which are an essential ingredient to an ongoing educational system—that is what we were talking about in our reasoned amendment.

**Mr. Speaker,** from my own particular point of view, a relatively selfish point of view, I am sorry to have to move the adjournment of the debate, but I do so.

**Mr. Speaker:** I sort of detect some negotiations going on as to whether we might continue.

**Mr. Lewis:** The negotiations were unsuccessful.

**Mr. Speaker:** They are unsuccessful.

**Mr. Renwick** moved the adjournment of the debate.

Motion agreed to.

**Hon. Mr. Welch:** Mr. Speaker, before moving the adjournment of the House, I understand we just have a few more speakers: The member for Riverdale (Mr. Renwick) to complete, the member for Victoria-Haliburton (Mr. Eakins) with a short contribution and a sum-up by the minister, following which we will have the vote on second reading of this bill, following the usual procedures tomorrow.

I would have hoped that perhaps we could have finished the debate on second reading tonight and then gone on to committee work, but it is my understanding that both opposition parties would not support a resolution at this time to go beyond 10:30.

**Mr. Lewis:** Lest there be an unhappy implication in that, having sat here since 10 this morning, we wish to say we see no reason why this bill cannot be fully cleared up tomorrow to achieve the purpose which is intended for Monday.

**Hon. Mr. Davis:** How can you reconcile that with the member for Riverdale saying the purpose of your amendment is to defeat the government?

**Mr. Lewis:** Well, then, you will just have to decide that tomorrow, won't you?

Mr. Renwick: And you would have to accept it.

Hon. Mr. Davis: I hope that reason will prevail.

Mr. MacDonald: It was so reasonable we thought you would accept it.

Mr. Speaker: Order, please.

Hon. Mr. Welch moved the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 p.m.



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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

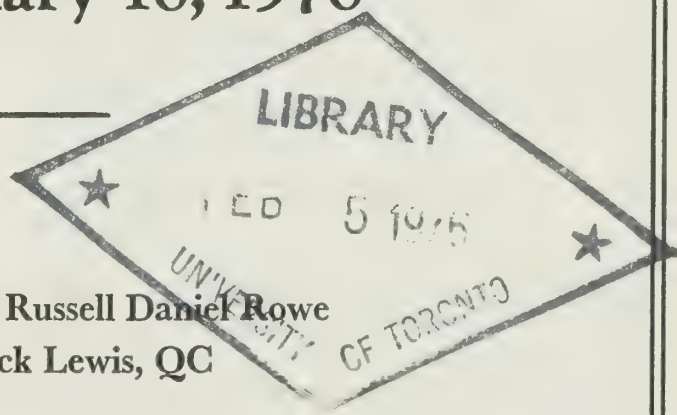
Second Session of the 30th Parliament

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Friday, January 16, 1976

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC



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# LEGISLATURE OF ONTARIO

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FRIDAY, JANUARY 16, 1976

The House met at 10 a.m.

Prayers.

**Mr. Speaker:** Statements by the ministry.

**Mr. Mackenzie:** Mr. Speaker, on a point of privilege. Instant Hansard, page 94-2 of yesterday, has a statement: "It indicated to me that they were ill-informed, that they behaved like boors and like working slobs." I consider that an insult to all working people in this province. Working people muck in our mines and in our factories. I don't believe it is called for. I think there should be a retraction and an apology in this House.

**Mr. Speaker:** Actually, it is not a point of personal privilege. It has nothing to do with the privileges of the hon. member or the House.

**Mr. Bain:** He is a working man.

**Mr. Renwick:** He has been all his life.

**Mr. Speaker:** Yes, thank you very much.

**Mr. Lewis:** What do you mean, "Thank you very much"? It was a speech worthy of Huey Long and it was made in this Legislature.

**Mr. Speaker:** I'm thanking the hon. member for taking his seat.

Oral questions.

## BUDGETS OF SOCIAL SERVICE AGENCIES

**Mr. Lewis:** A question to the Minister of Community and Social Services: How did the ministry arrive at the 5.5 per cent figure for increases in the budgets of the various social service agencies across the province, which is so substantially below even that which the Treasurer (Mr. McKeough) is granting to municipalities?

**Hon. Mr. Taylor:** What we did was look at the effective rate of increase for my ministry, which is about eight per cent. Then, we took into consideration the number of capital works which are currently under way. As the member can appreciate, while there

is a freeze on new capital spending, there will still be new capital construction because of commitments that have been made and construction that will be under way very shortly. Those contracts have to be completed and the contractors paid, so that we will have capital works during this next year. When we take into consideration those commitments and we see what is left in terms of overall moneys then, in distributing that, we find that the maximum moneys that we have for these agencies is about 5.5 per cent. That is a 5.5 per cent increase over the amount of moneys that they had for spending the previous year.

**Mr. Lewis:** Right, I understood that. How does the minister expect, for example, the Children's Aid Societies across Ontario to survive? In many instances they are almost frantic because of the increased responsibility pressed upon them when we, in this Legislature, removed section 8 from the Training Schools Act and said: "You must now look after all those additional kids." How can they possibly survive at a level of 5.5 per cent without incurring serious debts or curtailing services?

**Hon. Mr. Taylor:** The member knows and I know that while section 8 was repealed, the proclamation of that repeal has not taken place, so that in fact, in law, section 8 is still there. I appreciate some of the concerns of agencies in terms of child care, because in some areas that section is looked upon as having been repealed.

**Mr. Lewis:** All the judges in the courts know that?

**Hon. Mr. Taylor:** I shouldn't say all, but some are looking upon it that way. We have been doing what we can in that area. I have been dealing with the Ministry of Correctional Services in terms of working out a reasonable arrangement in terms of transfer of additional moneys which would accommodate financially the change when it is proclaimed and also accommodate, in a physical way, the children who will have to be accommodated because of the change. I want the members to know, Mr. Speaker, that the proclamation has not as yet taken

place and my position is that it should not be treated as having taken place until such time.

**Mr. Lewis:** Oh, come on as we have the finances and the accommodation.

**Mr. Nixon:** Is the minister then telling the House that he is delaying proclamation so the young people can be kept in training schools as an economy measure?

**Mr. Lewis:** That is what he is saying.

**Hon. Mr. Taylor:** What I am saying simply is that section 8 of the Training Schools Act is still there—

**Mr. Nixon:** And the minister is going to leave it there.

**Hon. Mr. Taylor:** —and that as far as my ministry is concerned and until such time as that repeal of section 8 is proclaimed, and we can work out the physical and financial accommodations, then the status quo should and must remain the same.

**Mr. Nixon:** Keep them in jail to save money.

**Mr. Lewis:** By way of a supplementary: Does the minister remember—as a member of the House at the time, if not a minister—that during the debate on the bill, the Children's Aid Societies and the courts were advised by the ministry in the process of the debate to start forthwith in making alternative plans because of the deluge that would emerge with the repeal of that section? That is what is happening all across the province. Judges are no longer consigning kids to training schools. How can the minister be so irresponsible as to say the law hasn't changed?

**Mr. Speaker:** Order, please.

**Hon. Mr. Taylor:** I don't remember that direction coming from the minister at that time; certainly not in the way that the member puts it.

**Mr. Cassidy:** The minister said "by the end of the year."

**Hon. Mr. Taylor:** It's not an act of irresponsibility, either.

**Mr. Speaker:** The member for London North was on his feet first for a supplementary.

**Mr. Shore:** Recognizing the infighting that perhaps went on in the priority assessment of spending, is the minister satisfied in his mind as the minister in charge that he got

his fair share of the dollars that purportedly are going to be used?

Interjections.

**Hon. Mr. Taylor:** Certainly there is a competition naturally for the global funds and my ministry was treated equitably in relationship to other ministries.

**Mr. Speaker:** We will allow the member for Ottawa Centre to ask his supplementary and then the member for St. George.

**Mr. Cassidy:** Is the minister aware that the Children's Aid Society in Ottawa, and I presume those in other parts of the province, has a number of programmes which were brought in after many years of negotiations with the ministry and with ministry approval in the latter half of 1975 which are now being slashed right back to where they were five and 10 years ago because of the proposals of the ministry?

**Hon. Mr. Taylor:** The Ottawa Children's Aid Societies and other Children's Aid Societies will have to look very thoroughly at their own programmes.

**Mr. Lewis:** Having been the man with the responsibility.

**Hon. Mr. Taylor:** Just remember this: They have had substantial increases in their budgeting in this past year.

**Mr. Lewis:** Oh, come on! The minister tells them what they have to do legislatively.

**Mr. Cassidy:** They were encouraged and persuaded to take on these programmes.

**Mr. Speaker:** Order, please.

Interjections.

**Hon. Mr. Taylor:** They were up considerably in percentage terms over the last year. They will all have to look very closely at their programmes and to weigh their priorities.

**Mr. Speaker:** A final supplementary, the member for St. George.

**Mrs. Campbell:** Does the minister not recall that there was a commitment given by his predecessor to engage in some meaningful activity insofar as prevention was concerned? Does he not now realize that there can be no preventive care by the Children's Aid Societies with these restrictions?

**Hon. Mr. Taylor:** I don't accept that.



**Mr. Lewis:** That is dead on.

**Hon. Mr. Taylor:** We are into the argument of preventive services and there is no question about the merits of it.

**Mr. McClellan:** The minister hasn't the slightest idea what the priorities are.

**Mr. Speaker:** Order.

**Mrs. Campbell:** It is going to cost the government millions.

**Hon. Mr. Taylor:** Did the member want to ask another question?

**Mr. Speaker:** This is becoming a debate. The hon. minister will complete his answer.

**Hon. Mr. Taylor:** They are okay within their overall budget. They are going to have to determine what their priorities are in terms of their own preventive services.

#### ADVISORY COMMITTEE ON DAY CARE

**Mr. Lewis:** A further question to the Minister of Community and Social Services: When did he decide to write the obituary for the daycare advisory council which we thought was a continuing body in an effort to bring some coherence to day care in Ontario?

**Hon. Mr. Taylor:** The member might have been misadvised as to that committee.

**Mr. Lewis:** I guess we were.

**Hon. Mr. Taylor:** That committee was set up about a year and a half ago to advise the then minister in the field of day care.

**Mr. Lewis:** It was to rescue the Provincial Secretary for Social Development (Mrs. Birch).

**Hon. Mrs. Birch:** I don't need to be rescued.

**Hon. Mr. Taylor:** The member can impute whatever motive he likes but the fact remains that that was a committee set up to advise the minister. I don't think that any committee that is set up to advise the minister should be functioning in perpetuity.

**Mr. Martel:** Does the minister not need any advising about day care?

**Mr. Speaker:** Order.

**Hon. Mr. Taylor:** It has had some 18 months or so in which to function. It has

issued two reports. I requested that the final report be submitted by the end of the year—and now by the end of this month.

Interjections.

**Hon. Mr. Taylor:** If we are to take a positive position in terms of the provincial posture on day care, I think it is time that we had the benefit of that report. Remember this too, in terms of the backup support, they call upon the technical people, and have been utilizing the personnel of my ministry. I am looking forward to a report which I think will be constructive and positive and will outline areas in which—

**Mrs. Campbell:** It's futile.

**Hon. Mr. Taylor:** —if they need more detail, it is available within our ministry because that is the source of information now.

**Mr. McClellan:** Can the minister assure the House, in connection with the advisory council on day care, that he will publish the final draft of the council's report as they submit it to him and not, as is commonly suspected, some kind of a dramatically re-edited version?

**Hon. Mr. Taylor:** The member can rest assured that we don't dramatize or re-edit any of these things. My own position has been one of openness in regard to reports.

**Mr. Martel:** They write their own.

[10:15]

**Hon. Mr. Taylor:** I want to let the members know, however, that the report is a report to me, because it was an advisory committee of the minister to report to the minister. When I receive that report I will study it and make a determination at that time in terms of its distribution. As the members know, in connection with the other two reports, they have been distributed.

**Mr. Martel:** If you want to discuss them you'll want them distributed by the election.

#### MENTAL RETARDATION CENTRES

**Mr. Lewis:** One last question to the Minister of Community and Social Services: How much will the annual cost be of the mental retardation human resource centre which the minister is establishing, a facility once occupied by the Goderich psychiatric hospital?

**Mr. Martel:** He's like John Anderson.

**Hon. Mr. Taylor:** Is the member talking about the ultimate cost?

**Mr. Lewis:** Yes. I gather it has been planned for some time; the minister must have it.

**Hon. Mr. Taylor:** No, I don't know. No one can determine the ultimate cost, not even in this forum. We, of course, have plans for the development of these resource centres throughout Ontario. We are proceeding, I think, very quickly in the implementation of the current philosophy of our ministry in mental retardation.

**Mr. Lewis:** Just answer the question; a simple question.

**Hon. Mr. Taylor:** Insofar as the Goderich centre or the Timmins centre is concerned, what we do there of course will be dependent upon the final disposition of those facilities. We have plans to take them over, pursuant to the current thinking of the Ministry of Health which is to let them go.

As to the ultimate number of dollars involved, I can't say. I might be able to give the member a forecast as to what our costs would be in the next fiscal year and that, of course, would be in our estimates in any event.

**Mr. Speaker:** We will allow a supplementary.

**Mr. Riddell:** Is the minister going ahead with plans to transfer the Goderich psychiatric hospital into a mental retardation centre when the Minister of Health (Mr. F. S. Miller) hasn't given final approval yet to the phasing out of the psychiatric facilities in Goderich?

**Hon. Mr. Taylor:** First of all, I would like to clarify the member's misconception. It is not a mental retardation centre, it's a proposal for a resource centre which would not be principally a centre for residential accommodation. It would be a centre to service an entire area—two counties.

**Mr. Lewis:** The whole thing is preposterous.

**Mrs. Campbell:** You have already got retardation facilities.

Interjections.

**Mr. Singer:** This is a clarification of misconceptions.

Interjections.

**Hon. Mr. Taylor:** Just a minute. Insofar as our plans go, assuming that—

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Taylor:** Do you want some information on it or don't you?

**Mr. S. Smith:** Ask your superminister.

**Mr. Ruston:** Talk about it.

Interjections.

**Mr. Shore:** Yes or no?

**Hon. Mr. Taylor:** We naturally work on the premise that if a facility which will accommodate our long-range programmes becomes available, then it is only wise to utilize that facility, based on the release that that facility would not be required as a psychiatric hospital.

**Mrs. Campbell:** Answer the question.

**Hon. Mr. Taylor:** Then, of course, we immediately made plans to use it for a resource centre and, of course, to use as much of the personnel as possible and to ensure that there would be an orderly transition from one use to another.

#### BUDGETS OF SOCIAL SERVICE AGENCIES

**Mr. Nixon:** I would like to put a question to the same minister, Mr. Speaker. Have his statisticians calculated the additional financial burden that will descend upon the municipalities because of their withdrawal of the expected increase in the budget for social assistance that has normally been available at the community level?

**Hon. Mr. Taylor:** Of course, what the municipalities may want to pick up in terms of additional services at—

**Mr. Shore:** No, he said the same service.

**Hon. Mr. Taylor:** Well, insofar as the same service is concerned, we are expecting that the municipalities are resourceful enough to—

Interjections.

**Mrs. Campbell:** You're not. The government is resourceful in passing its responsibilities on to the municipalities.



**Hon. Mr. Taylor:** Why, certainly we are resourceful. We have internal economies that we are effecting as well and we expect that the municipalities, in the spirit of co-operation, are trying to do everything that they can to contain government spending at all levels. We will look very closely at their programmes to see if they can run them more efficiently and more effectively. We have a great deal of faith in local government.

**Mrs. Campbell:** They are far more efficient than this government is.

**Hon. Mr. Taylor:** We have a great deal of faith in the municipalities and the manner in which—

**An hon. member:** That's a switch.

**Mrs. Campbell:** So do we.

**Mr. Martel:** You have a funny way of showing it.

**Mr. Cassidy:** You don't see people at all; you just see dollars.

**Hon. Mr. Taylor:** This represents no change for me.

**Mr. Speaker:** Order. Order, please. Will the hon. minister take his seat, please.

The hon. minister should be answering the original question, not the interjections. If he has anything further to add to it, would he please ignore the interjections, which are improper—

**Mr. Singer:** He wants to clarify a few more misconceptions.

**Mr. Speaker:** Order, please. If there are supplementary questions, that's a different matter.

**Mr. Nixon:** Yes, I have a supplementary.

**Mr. Speaker:** Order, please. I would like to determine if the minister was finished with the first answer.

**Mr. Singer:** Has he clarified all the misconceptions?

**Mr. Speaker:** If he is finished, fine. The hon. member for Brant-Oxford-Norfolk.

**Mr. Nixon:** Well I would simply like to ask the minister, as a supplementary, wouldn't he agree that the solution to his fiscal problems, among his other problems, has been to contribute to an additional billion dollars that will be loaded on the tax

bills of the municipalities, which has been the recommendation of the Treasurer (Mr. McKeough), through the McKeough report, sometimes called the Henderson report—that this is part of government policy, to simply load it on the municipalities?

**Hon. Mr. Handleman:** Oh come on now.

**Hon. Mr. Taylor:** Not at all, not at all. You see, there is one basic concept people over there just can't seem to grasp, Mr. Speaker, and that is that we cannot combat and beat inflation—

**Mr. Nixon:** What is it?

**Mr. Riddell:** The minister is not helping it.

**Hon. Mr. Taylor:** —if we build inflation into our spending in our budgeting. Members opposite want to give everybody a double-digit increase so that we can build inflation in, with the expectation that we are going to cut out inflation by government policies. It is just nonsense.

**Mr. Shore:** He's passing the buck.

**Mr. Martel:** The minister didn't say that when he was spending. He takes it out on those who can ill afford it.

**Mr. S. Smith:** As a supplementary question: Could the minister explain, now that his ministry is limited to 10 per cent growth, how he has decided to pass on to municipalities and agencies only 5.5 per cent growth? What's happened to the rest of that money?

**Hon. Mr. Taylor:** I gave the explanation to the Leader of the Opposition in response to his first question; so that possibly if the member reads Hansard he will get that.

## BEER ADVERTISING AND SALES OUTLETS

**Mr. Nixon:** Mr. Speaker, I would like to ask the Minister of Consumer and Commercial Relations if we are going to have beer at the ball game.

**Hon. Mr. Handleman:** Mr. Speaker, the answer is, I don't know yet.

**Mr. Nixon:** Supplementary: How much more perambulation will be necessary with his executive assistant before the minister finds out?

**Mr. Reid:** And who is paying for the tickets?

**Hon. Mr. Handleman:** The word "perambulation" escapes me. We will be—

**Mr. Nixon:** It means wandering and travelling around to the hockey games.

**Hon. Mr. Handleman:** I think we will be travelling over the Ottawa Valley to Montreal, and that's the last of the perambulations; the second of the two.

**Mr. Reid:** Who pays for the tickets to get into the games?

**Mr. Nixon:** Supplementary: While the minister is considering this concept—frankly, I think it would be a good idea—is he also considering ways whereby some of the pressures, particularly on young people, through advertising, to get into the happy life of beer drinking, how those pressures are going to be reduced? Is he, at the same time when he is considering selling beer at the ball game, going to come out with some rational policy of reducing these advertising pressures?

**Hon. Mr. Handleman:** Mr. Speaker, we are constantly looking at the advertising code. There is a new draft code now in preparation.

**Mr. Nixon:** We are all looking at the ads these days on TV.

**Mr. Reid:** The minister is going to hockey games and watching TV; what else does he do?

**Hon. Mr. Handleman:** I certainly am concerned about the proliferation of lifestyle advertising. I will be meeting with the advertising agencies and the advertisers to ascertain how we can curtail the lifestyle advertising which is now becoming quite common.

**Mr. Singer:** Pass an order in council. This government does that for everything else.

**Mr. Reid:** Why not use Lorne as a horrible example of what can happen?

**Hon. Mr. Handleman:** If you look at Canadian publications, Mr. Speaker, I think you have some idea of the economic impact of banning advertising, as the leader of the Liberal Party has suggested. But we are concerned about the nature of the advertising and certainly are reviewing it constantly.

**Mr. Singer:** That won't wash either.

**Hon. Mr. Handleman:** I would wash it in beer, Vern.

**Mr. Ziemba:** A question to the minister: Could the minister tell this House whether it is by arrangement or coincidence that the very next day after Labatt's makes overtures to bring in the San Francisco Giants, he announces that he would like to see beer sales in arenas and stadiums, with the statement that beer is part of the ritual of baseball?

**Mr. Shore:** Part of the deal.

**Hon. Mr. Handleman:** Mr. Speaker, I made no such announcement. I have not announced that I would like to see beer in stadiums. I said that we are on a fact-finding mission to determine the pros and cons. The decision as to whether or not there will be a recommendation hasn't even been made.

**Mr. Lewis:** A fact-finding mission on beer? What a chap you are.

**Mr. Nixon:** Hands in the suds.

**Hon. Mr. Handleman:** It's 30 below; do you want to come?

#### COST OF FOOT CARE FOR PENSIONERS

**Mr. Godfrey:** A question to the Minister of Health (Mr. F. S. Miller)—oh, he seems to have disappeared. I will address it to the Premier, if I may. I have received considerable communication from Pensioners Concerned (Canada) Inc. with regard to foot care. I wonder if the Premier has been apprised of the fact that older people are charged a considerable amount of money in order to take care of their feet—which is very important for them—in addition to this being charged to OHIP? I would wonder whether he has had any direction or advice from his minister as to how this problem might be handled?

**Mr. Nixon:** "Footicare."

**Hon. Mr. Davis:** No, but I'm sure the Minister of Health has it well under control, Mr. Speaker.

**Mr. Singer:** He has two feet.

**Mr. Godfrey:** A supplementary, if I may, Mr. Speaker: I appreciate that the minister has it well under control, but I would point out that the older people of this country, through—

**Mr. Shore:** Question?



**Mr. Godfrey:** Thank you. I would ask the Premier if he feels it is fair that older people should be paying amounts of \$100 to \$200 out of their own purses per year for the care of their feet when they cannot afford that and when these practitioners are also being compensated in the amount of \$90, \$100 or \$125 per year from an insurance scheme? Does that seem fair to the leader of our government?

**Hon. Mr. Davis:** Mr. Speaker, I am delighted that the hon. member refers to us as leader of our government. There is a breakthrough this morning that I certainly appreciate.

**Mr. Moffatt:** He didn't say for how long, though.

**Mr. Deans:** It's not our fault.

**Mr. Bains:** He uses the royal "we."

**Hon. Mr. Davis:** I'm glad to see the New Democratic Party is so committed to the royalist cause, too. That's tremendous; I'm delighted to see that.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Which is really a switch for some of them, I have to say that. Mr. Speaker, I would be delighted to discuss this with the Minister of Health.

**Mr. Speaker:** The member for Huron-Middlesex.

**Mr. Makarchuk:** Supplementary, Mr. Speaker.

**Mr. Speaker:** No, the member for Huron-Middlesex.

**Mr. Riddell:** A question to the Premier, Mr. Speaker—

Interjections.

**Mr. Speaker:** Order, please. Let's have a little better question period. We will allow a supplementary from the member for Brantford if it's a true supplementary.

**Mr. Makarchuk:** Yes, it is a supplementary, Mr. Speaker, and again I'll have to go to the Premier. Would the Premier intercede on his own behalf and on behalf of the Minister of Health with the podiatrists in Ontario who are at this time charging patients \$15 plus OHIP for the first visit, and \$7.50 plus OHIP for every visit thereafter? Does he think that is fair?

**Hon. Mr. Davis:** Mr. Speaker, I am not passing any judgement without total knowledge of all the facts. As I said to the other hon. member, I'd be delighted to discuss it with the Minister of Health.

**Mr. Nixon:** Total knowledge? What a great thing to strive for.

## HOSPITAL CLOSINGS

**Mr. Riddell:** Mr. Speaker, I will give it another try. A question of the Premier: Considering that both he and the Minister of Health (Mr. F. S. Miller) are receiving numerous letters and personal contacts condemning their actions regarding the phasing out of the Goderich psychiatric hospital, and considering that the Premier was approached just recently by a very honourable gentleman who used to sit on his left, very much concerned about the phasing out of this hospital, does the Premier think that there will be any consideration on his part or on the part of the Minister of Health to retain the psychiatric services in Goderich or at least to retain a wing for outpatient service?

**Mr. Shore:** That's the way they make decisions.

**Hon. Mr. Davis:** Mr. Speaker, I could be a little bit facetious here and comment just what a great member the hon. member was referring to and what a great service he did for that riding and what excellent representation he did give.

**Mr. Nixon:** You mean the chairman of the racing commission?

**Mr. Cassidy:** A great service? You mean when he resigned?

**Hon. Mr. Davis:** I think in fairness to the former member for that riding, I don't recall his exact geographic location in this House compared to that of my own, but in fairness to him I wouldn't want to construe that he was necessarily philosophically to my left when he was here—he might not totally approve of that sort of approach, I don't know—but I don't know that he was philosophically to my right either.

**Mr. Reid:** Oh, believe me, he was.

**Hon. Mr. Davis:** Oh, you think so?

**Mr. Reid:** On the other hand, he might have been in the middle.

**Hon. Mr. Davis:** However, yesterday I did talk to Mr. MacNaughton, who still has the

interests of that great riding at heart and was an excellent member and did a tremendous job of representing that riding—and I won't make any comparisons, it's Friday. The Minister of Health explained the situation yesterday. I've seen Mr. MacNaughton, and there are one or two other people who wish to see me and I have said that I will see them. The member hasn't asked to see me. He makes mistakes.

[10:30]

#### CHILD WELFARE ADVISORY COMMITTEE

**Mr. Martel:** I have a question of the Minister of Community and Social Services. Some months ago he indicated he would reconvene a meeting of interested groups to determine whether or not an advisory council would be established to consider the Child Welfare Act. When does he intend to call that group together to indicate if he intends to proceed?

**Hon. Mr. Taylor:** I have already indicated my intention to proceed and have instructed that it be called together.

**Mr. Martel:** Has the minister any indication when that will occur, in view of the fact he told us a month and a half ago he was going to proceed?

**Hon. Mr. Taylor:** I cannot give the member any firm date today.

#### COMPULSORY USE OF SEATBELTS

**Mr. Spence:** I have a question for the Minister of Transportation and Communications. Is the minister aware that I received 1,625 letters and petitions protesting the legislation that was passed before we adjourned at Christmas?

**Hon. Mr. Davis:** One of your members introduced a bill on it.

**Mr. Eaton:** You supported it.

**Hon. Mr. Davis:** You can't get off the hook back home.

**Mr. Spence:** Just a minute; they wish me to bring the minister's attention their concern regarding the mandatory wearing of seatbelts in operating motor vehicles on our highways. They say that they are not going to pay the fines if they are stopped by the provincial police and that they are going to take a jail sentence. I don't think we have sufficient space in our jails.

**Hon. Mr. Kerr:** We refuse to put them in jail.

**Mr. Speaker:** Order, please. I think the hon. member has asked the question. He asked is the hon. minister aware.

**Hon. Mr. Davis:** Don't you think Hansard should record that you voted for that bill?

**Mr. Kennedy:** You should have yanked his coattails.

**Mr. Speaker:** The hon. minister with his answer.

**Mr. Nixon:** He didn't.

**Mrs. Campbell:** He didn't vote for it.

**Hon. Mr. Davis:** He chickened out. He left, did he?

**Hon. Mr. Snow:** Mr. Speaker, I have followed with interest some press clippings—

**Mr. Speaker:** We are waiting to hear the minister.

**Mr. Nixon:** You had better check again.

Interjections.

**Hon. Mr. Snow:** I have followed with interest the press clippings of comments that the hon. member has made and I have trouble trying to relate those comments to the comments he made during the debate on the bill. I know he did state that he had some concerns regarding the legislation, but after he had summed it all up, as I recall, and I haven't checked with Hansard exactly, he did state he was in favour of the bill and that he was supporting the bill.

**Mr. Ruston:** You'd better check again.

**Mr. Nixon:** At least he was consistent.

**Mr. Kerrio:** What about the member for St. Catharines (Mr. Johnston)?

**Hon. Mr. Snow:** I have been getting a great deal of mail—

**Mr. Shore:** What are you doing with it?

**Mr. Moffat:** Who reads it?

**Hon. Mr. Snow:** —with regard to seatbelts. I must say, that if I had to summarize, in the mail that has come to my desk, there has been a great deal more support for this legislation than there has been objection to it.

Interjections.



**Hon. Mr. Davis:** It is the legislation of your party.

**Hon. Mr. Snow:** Regarding the hon. member's concern about the capacity of the correctional centres of the province, I would have to ask him to refer that question to the Minister of Correctional Services (Mr. J. R. Smith) as to whether he can handle any constituents of the hon. member's who may wish to use those services.

**Mr. Spence:** Supplementary.

**Mr. Ruston:** Supplementary.

**Mr. Riddell:** Supplementary.

**Mr. Speaker:** Order, please. The first question was, is the minister aware of the 1,625 letters? How do we get supplementaries? Was yours a supplementary? We will allow the original questioner a supplementary.

**Hon. Mr. Davis:** You people all voted for it.

**Mr. Speaker:** Order, please.

**Mr. Spence:** Mr. Speaker, I have 1,629 letters here to present to the minister.

**Mr. Speaker:** You may do what you like with them. The member for Huron-Middlesex with a final supplementary.

**Hon. Mr. Snow:** Mr. Speaker, may I reply to the supplementary?

**Mr. Speaker:** No, there was no supplementary question. The member for Huron-Middlesex, I believe, has a supplementary question.

**Mr. Riddell:** In connection with the mandatory use of seatbelts, is the minister aware of the hardship that this legislation is bringing to bear on those people who are delivering mail in the rural areas? Every time they stop at a post-box they have to undo that seatbelt, lean across the seat and put the mail in.

**Mr. Speaker:** Order, please. The question has been asked.

**Mr. Riddell:** Is there any concession for these postal people?

**Hon. Mr. Snow:** Mr. Speaker, that shows how familiar the hon. member is with the legislation and with the regulations. There is a specific regulation that has been passed that exempts rural mail drivers from the wearing of seatbelts while they are in the process of delivering their mail.

**Mr. Nixon:** If they go at 25 miles an hour.

**Mr. Shore:** What about rural female drivers?

**Hon. Mr. Davis:** Just as with the hospital, you have got to be informed.

**Hon. Mr. Snow:** Speaking of the letters that I have received and the letters that the hon. member has forwarded me, I would like to tell the hon. member that I will be forwarding him today a copy of a letter that I received from one of my constituents, who I am sure is well known to all those people in the Liberal Party, a Mr. Harold Young. I will also send one to the leader of the Liberal Party, because I know he is a great friend of Mr. Young's.

**Mr. Nixon:** He certainly is.

**Mr. Singer:** A fine man; he speaks well of you too.

**Hon. Mr. Snow:** I am sure he would be very interested in Mr. Young's comments regarding seatbelts. In fact, he says it is the greatest legislation there ever was. It is so good that you would almost think it was Liberal. That's what the comment was.

## UNEMPLOYMENT IN ONTARIO

**Ms. Bryden:** Mr. Speaker, I have a question for the Premier. In the interview which the Globe and Mail had with the Premier, published Jan. 13, he stated that the level of unemployment in Ontario was at an unacceptable level and that the Ontario economy was growing at a slower rate than the rest of the country. Now we have had the bombshell of 4,500 Eaton's employees in the mail order business losing their jobs completely. Is the Premier now ready to bring in a set of measures to counteract this growing unemployment?

**Hon. Mr. Davis:** Mr. Speaker, I am delighted the hon. member read that article in the Globe and Mail because I hope, being a non-expert and non-economist, I indicated that I was really very optimistic about the future of this province. It may or may not have appeared in the article just how well we had done in this province in terms of provisions of new jobs, which I think was superior to that of any other provincial jurisdiction, as a matter of fact and, on a percentage basis, probably greater than in the United States or anywhere in western Europe. In fact, I think the record of this government

in this province in providing jobs is the envy of just about every other jurisdiction.

Interjections.

**Hon. Mr. Davis:** Well, it happens to be true. I'm just giving the facts. We certainly did a lot better than British Columbia under the excellent tutelage in government, which, thank heavens, they had for a very short period of time—

**Mr. Martel:** You sort of got clobbered, Bill.

**Hon. Mr. Davis:** However, I do agree; I do not find the level of unemployment acceptable. I make that abundantly clear. That's the view held by this government. In recent budgets we have made a very genuine effort to come to grips with this. We have been, I think, of some substantial assistance to the real estate business and the construction industry; and for those members who happen to represent ridings where the automotive industry is situate, in spite of the very cynical observations made in this House, there is no question the measures introduced by this government had a very genuine impact on the level of employment in those communities—

Interjections.

**Hon. Mr. Davis:** The member for Oshawa (Mr. Breaugh) in particular should be very grateful for the enlightenment that we show.

**Mr. Moffatt:** That's why he is here—because of your enlightenment.

Interjections.

**Hon. Mr. Davis:** Mr. Speaker, we shall continue to keep an eye on the unemployment situation and take those steps necessary or that we feel we can do to assist in this very important area.

**Mr. Ruston:** You gave a Throne Speech once, Bill.

**Mr. Speaker:** With all the interjections, it just makes it useless to carry on a question period. Will the hon. members refrain from making interjections?

**Mr. Singer:** They're probably out of order anyway.

**Mr. Speaker:** Order, please. Did the hon. member for Beaches-Woodbine have a supplementary?

**Ms. Bryden:** Thank you, Mr. Speaker. Do I take it that the Premier's reply indicates that we will hear nothing until the budget, even

though there are 234,000 people out of work in Ontario right now, which is 2,000 more than in the previous month?

**Hon. Mr. Davis:** Mr. Speaker, I don't think the hon. member should take anything from the answer other than what was in it.

**An hon. member:** There was nothing in it!

**Hon. Mr. Davis:** Well, that's a matter of judgement.

Interjections.

**Hon. Mr. Davis:** We're trying to clear up one unemployment problem right now if you would help us today.

**Mr. Speaker:** Order, please.

## GREAT LAKES CLEANUP

**Mr. Reid:** I have a question for the Minister of the Environment. Can the minister indicate where the programme is in the cleaning-up of the Great Lakes, and does the United States now intend to live up to its original commitment of two or three years ago to expend some billions of dollars in funds to in fact clean up pollution in the Great Lakes?

**Hon. Mr. Kerr:** Mr. Speaker, the programme is on schedule. There was some concern that federal money in the United States would be reallocated to other parts of the United States, particularly southern states; however, I am advised by the Great Lakes Commission, which includes representatives from the eight Great Lakes states as well as Ontario, that there have been some second thoughts on that funding and that they expect to get the money that was originally allocated for the programme on the Great Lakes.

**Mr. Reid:** One short supplementary, if I may: Do I understand then from the minister that the Americans have lived up to their commitment and that their programme as enunciated some three years ago, I believe, is in fact on schedule and the water quality in the Great Lakes is improving?

**Hon. Mr. Kerr:** Mr. Speaker, there are some states which aren't exactly on time. For example, I think the states of Pennsylvania and Ohio, because of some concern about federal funding, are behind, but I think, generally, the programme and the target dates which we have set will be reached hopefully, again, as I say, because of the efforts of the Great Lakes Commis-



sion in convincing the federal government that there should be a reallocation of funds and because of the fact that, naturally, there is more concern by the present head of state in the USA than there was before.

**Mr. Reid:** Mr. Speaker, one supplementary just to clear this up if I may. Has President Ford redirected or released those funds that President Nixon held back from the programme? Has he done that?

**Hon. Mr. Kerr:** Yes. It is my understanding that a major portion of those funds has been reallocated for Great Lakes use.

**Mr. Godfrey:** Supplementary to that, in view of the fact the minister said the water quality is improving: The simple statement is that polychlorinated biphenyls are increasing. What steps is the minister taking in order to control this increase, which is undoubtedly a serious health and environmental hazard?

**Hon. Mr. Kerr:** As I indicated to the House in my statement that was made last fall, Mr. Speaker, the levels of PCBs remain constant. We're concerned about certain species of fish. This is the type of contamination that isn't necessarily solved by way of municipal sewage treatment plants or the general Great Lakes programme. This is a problem because of leakage from certain plants of PCBs and other types of what we call phantom pollutants. However, the Great Lakes Commission is recommending to the Environmental Protection Agency in Washington that PCBs be banned and we expect to have a meeting on whether or not that is possible. I anticipate that Ontario will support that move.

**Mr. Stokes:** When are you going for another swim, George?

#### BUDGETS OF SOCIAL SERVICES AGENCIES

**Mr. Mackenzie:** I have a question of the Minister of Community and Social Services. In his speech in Hamilton this past Tuesday he stated that he was considering legislative or regulatory changes in order to assist social service agencies to comply with the restraint programme. Inasmuch as most of these agencies or municipalities cannot comply in terms of their own permissive programmes unless there are cuts in the mandatory programmes, would the minister inform this House which programmes — mothers' allowance, general

welfare assistance or whatever — he intends to cut?

**Hon. Mr. Taylor:** The member is operating from a false assumption and a false conclusion. The reference was made in regard to a joint committee that was set up with the municipal welfare administrators and my staff and certain recommendations flowed from that particular committee's considerations. As a result of those recommendations, I am considering amendments to the regulations which may be of some assistance to the municipal welfare administrators.

**Mr. Speaker:** Order, please. We'll allow one supplementary. The member for Hamilton East.

**Mr. Mackenzie:** Is the minister then ready to assure this House that there will not be cuts in mothers' allowance or other programmes of this kind?

**Mr. Bain:** He doesn't know.

**Hon. Mr. Taylor:** First of all, I'm not sure what the member means. If he is talking in terms of the actual level of payment, we don't contemplate any cuts in the level of payments to recipients.

[10:45]

#### BUTTONVILLE AIRPORT EXPANSION

**Mr. Stong:** I have a question of the Premier. Could the Premier share with this House the reasons for which his cabinet allowed the owner of the Buttonville Airport to expand its runways, against the wishes of the people of Markham and Richmond Hill?

**Hon. Mr. Davis:** Mr. Speaker, it has not been the policy, nor will it become the policy, to discuss the deliberations that go on in cabinet. There was an appeal from the Ontario Municipal Board. The cabinet of this province maintained the ruling by the Ontario Municipal Board.

#### PAPERWORKERS' STRIKE

**Mr. Jones:** Mr. Speaker, in the absence of the Minister of Energy (Mr. Timbrell), I would like to ask the Premier to perhaps give us some indication on this question. We have been reading articles in the paper, and there were discussions in this House yesterday in question period, about the plight of the paperworkers. Last night, CBC-TV commented on hydro being cut off for these

striking pulp workers. I wonder if perhaps the Premier could give us any indication of what the minister or the government might be proposing to do, because obviously this is a pretty serious situation in some of our northern communities for these men who have been on strike for this period of time.

**Hon. Mr. Davis:** Mr. Speaker, I heard of these observations and communicated with the minister. I can assure members of this House that no person who is out on strike as a result of the disruption in the pulp and paper industry will have their hydro service cut off because of non-payment because of the lack of funds because they haven't been employed.

**Mr. Bain:** Mr. Speaker.

**Mr. Speaker:** The member for Timiskaming.

**Hon. Mr. Davis:** I don't know why somebody over there didn't ask me that question.

**Mr. Bain:** Because the Premier didn't give us the question beforehand.

**Hon. Mr. Davis:** I haven't seen the member since yesterday.

**Mr. Speaker:** Order, please. The member for Timiskaming has a question.

**Hon. Mr. Davis:** Is the member not interested in his own constituents?

#### REDUCTION OF ONTC WORK FORCE

**Mr. Bain:** I have a question of the Minister of Transportation and Communications. I was wondering if the minister was aware that over 140 people have been laid off by the Ontario Northland Railway? Is the minister also aware that management refuses to give any reassurances that when economic conditions improve these people will be rehired and reposted in their old jobs? Does this cavalier attitude by management toward workers—

**Mr. Speaker:** Order, please. Could we have a question without—

Interjections.

**Mr. Bain:** There are two questions. I will now get to the third.

**Mr. Speaker:** Order, please.

**Mr. Bain:** If you object to the word "cavalier," then I will withdraw it.

**Mr. Speaker:** No, it is a question for information—

**Mr. Bain:** Does the attitude of management—

**Mr. Speaker:** Order, please. Will the member ask his question for information, please?

**Mr. Bain:** I am.

**Mr. Speaker:** Will the member proceed with the question, without the editorials?

**Mr. Bain:** Does the attitude of management signal an overall reduction of services by the Ontario Northland Railway and a permanent firing of employees, or is it simply an inability of management to deal openly with the community's employees affected?

**Mr. Makarchuk:** Good question.

**Mr. Laughren:** Good question.

**Hon. Mr. Snow:** Mr. Speaker, I am certainly aware of the necessary reduction in the work force at the Ontario Northland Transportation Commission.

I think the hon. member should be very much aware of the obvious reason for this; it is because of the labour difficulties in the pulp and paper industry. There has been a tremendous decrease in the work load of the railroad. As that has been going on for several months, we have, totally, gone as far as possible in using the services of these employees on maintenance work and all the things that could be done, and it has now come to the stage where temporary layoffs have to be made. I assure you, Mr. Speaker, that I am as anxious as I am sure the hon. member is, to get this traffic back for the railroad, which I am sure will come about when the other difficulties are solved. It is not a permanent layoff, Mr. Speaker.

**Mr. Speaker:** The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Meen, on behalf of the Minister of Consumer and Commercial Relations (Mr. Handleman), presented the 49th report of the Liquor Control Board of Ontario.

Hon. Mr. Snow tabled the annual report of the Ministry of Transportation and Communications for the fiscal year ended March 31, 1975.

**Mr. Speaker:** Motions.



Introduction of bills.

Orders of the day.

**Clerk of the House:** Resuming the adjourned debate on the amendment to the motion for second reading of Bill 1, An Act respecting the Metropolitan Toronto Boards of Education and Teachers Disputes.

METROPOLITAN TORONTO BOARDS  
OF EDUCATION AND TEACHERS  
DISPUTES ACT  
(concluded)

**Mr. Speaker:** Yes, the hon. member for Riverdale has the floor.

**An hon. member:** He'll be twice as good this morning.

**An hon. member:** He had his time last night.

**Mr. Deans:** But he deserves more; more and more.

**Hon. Mr. Davis:** Did he have his steak and kidney dinner?

Interjection.

**Mr. Martel:** I'll tell the Liberal leader why he won't even vote for a floor level this morning.

**Mr. Speaker:** Order please, the hon. member for Riverdale has the floor.

**Mr. Renwick:** Thank you, Mr. Speaker.

**Mr. Singer:** Tell us about "Dear Roy" and "Dear Jim."

**Mr. Renwick:** If not in this hour certainly in the next hour, the NDP will experience its finest hour in this Legislature.

**Mr. Kennedy:** It wasn't yesterday.

**Mr. Singer:** Is the NDP going to accept that cabinet decision?

**Mr. Reid:** Does the member mean they are all going to resign?

**Mr. Singer:** The members of the NDP are walking across the floor.

**Mr. Deans:** No, but if the member keeps at it we could be driven out.

**Mr. Martel:** What isn't the Liberal leader supporting today?

**Mr. Renwick:** One of the comments I would like to make initially is—and I am sure the members of the House will be saddened to know that I do not intend either to repeat or recapitulate what I said last night.

**Mr. Ruston:** Oh come on.

**Mr. Singer:** Oh a pity.

**Mr. Reid:** Ruined my whole weekend.

**Mr. Renwick:** My words are already enshrined in Hansard and no doubt will be read and reread in the weeks and months ahead many, many times.

Interjection.

**Mr. Speaker:** Will the hon. member for Riverdale continue with his speech, please?

**Mr. Singer:** Very good ruling.

**Mr. Renwick:** Mr. Speaker, the purpose of our amendment was to have it accepted by the Legislature. We had hoped that the amendment would appeal to the members of the Liberal Party, and indeed to the members of the Conservative Party, in order that a better solution could be found to a very difficult problem with which we were faced by the Metro Toronto high school teachers' strike and the breakdown of negotiations between the boards of education and the teachers.

We wanted to place the government in the position that they would have to choose one of two courses: to accept a better solution or to dissolve this Parliament and go to the country.

Our preference would have been for the government to accept a better solution. The reality of political life is that at some point in time the Premier (Mr. Davis) will ask for a dissolution of this Parliament; and if this were the occasion that he chose to do so, we would welcome that opportunity to place our position clearly before the people throughout the Province of Ontario.

**An hon. member:** Don't bet on it.

**Mr. Renwick:** In what some perhaps may consider a cosmic view of the issue which is before us, we are faced in the society in which we live by an immense unsettling readjustment, which is taking place and which we must accommodate in this Legislature, and indeed in many other places throughout the country where there is a serious questioning by various groups of persons with diverse interest but with a common bond of

common work as to their relative worth within the society.

I think it is evident that readjustment has to take place, and the real questions are what is the relative worth of one group of people and the services which they perform for the society, as compared with the worth of traditional groups translated in many instances into economic terms.

We tried to face up to that particular problem; and in drafting our amendment we tried to accomplish a number of purposes. Our first purpose was to support the return to school of the students and the teachers, and in that we are in agreement with each of the parties in the assembly.

We wanted to do so because the students' well-being is a matter of concern to us, although I may express on my own behalf a certain scepticism about what is happening in the school system. If one tries to look behind the appearances and the perceptions of this particular conflict to the reality, it may well be there are serious problems mirrored in this dispute in the educational system as we know it in Metropolitan Toronto. This is not the time and the place, nor do I have the knowledge, to go into it, but I assume that there are such underlying causes of this dispute which require earnest and serious consideration, not only by the Ministry of Education but by the boards of education in Metropolitan Toronto and by the teachers, who are members of the affiliates who are employed by the school boards and who provide the professional teaching in our secondary schools.

I may say to the minister that a knowledgeable, indeed an extremely knowledgeable, community leader in my riding of Riverdale has indicated to me, by way of illustration of what I have just said, that the lack of the traumatic experience of Christmas examinations and the escalation of the tension within the school system because of those examinations was absent this year, and in the area of the riding of Riverdale, by and large the acting out, the behavioural patterns, the anti-social response which is normal in Riverdale riding at this time of year did not occur this year. I would be glad to pursue that perhaps on some other occasion, but that is the assessment made by persons who are close to the community in which I live; and it mirrors, in my view, something seriously wrong with the educational system if in other times it would produce that kind of traumatic effect in the riding of Riverdale where three of the major institutions are located—the Eastern High School of Commerce, Riverdale Collegiate and Danforth Technical School.

I may say that the government of Ontario in fact controls the educational system at the post-secondary level as well as at the secondary level and, therefore, there is no reason why the students in the secondary school system should suffer in any way because of the layoff which has resulted from the strike and the breakdown of negotiations going on as it has to 37, 38 or 39 days of instructional time lost within the school system. All the adjustments can be made to protect those students who want to pursue post-secondary education. There would be no difficulty in having the Ministry of Colleges and Universities, in conjunction with the Ministry of Education, set aside, on the basis of historic experience, places within the universities and places within the community colleges, consistent with former years, to accommodate those students who would move into the post-secondary educational system in the aftermath of this strike.

There is no reason to believe that an extended period of instruction will not permit those students to carry on in their post-secondary education, and it is the responsibility of this ministry, in conjunction with the Ministry of Colleges and Universities, to make certain that does in fact occur.

Our second purpose was to support the teachers in the Metropolitan Toronto system, very clearly to support them. We may have questions about elements of their demands, elements of the proposals which they have made, but our support was engendered mainly because we are not going to associate ourselves with an Act of the Legislature, as presented to us, which could do nothing other than to continue a sense of alienation and a sense of isolation, justified or otherwise—and of course on occasions people can be paranoid for justified reasons. I simply say that we did not intend to support a bill which would in any way perpetuate and not ameliorate that sense of isolation and alienation which is part and parcel of the atmosphere presently in existence between the school boards and the Metropolitan Toronto high school teachers.

[11:00]

Our third purpose was to protect the integrity of Bill 100. We are concerned about this. We have not heard from the government or from the members of the Conservative Party any compelling reasons which would lead us to believe that the bill which is presently before us is not, in a sense, a destructive bill insofar as the continuance of Bill 100 is concerned as a method of ameliorating and settling disputes within the school system.



I think it is fair to say that as the strike developed as a protective method of ensuring progress in the collective bargaining system between management and labour and management and other groups in our society, the countermeasure traditionally adopted was to impose compulsory arbitration. That was the black and white response. If a strike for some reason could be categorized by those in control of government as relating to essential services or to the public service, or to some aspect of the industrial world that could be justified in their terms by the Conservative and Liberal governments that have imposed this kind of legislation, in a very Pavlovian, responsive way, they simply thought of compulsory arbitration as the one and only method by which that could be accomplished.

The York regional school board bill mirrored that approach. We had hoped that would be the final occasion on which the language of that bill would be required to be presented in this assembly for the purpose of settling any dispute. It is as if the government did not understand that since the bill was enacted by this assembly, the assembly has dealt with Bill 100 and has passed Bill 100 in an effort to make certain that the compulsory arbitration route would be cast aside and eliminated as a method of settling disputes.

There is no magic to the settlement of conflicts between management and various groups, whether in the industrial world or in the public service world. There is no magic to the solutions; nobody knows the solutions. I think it's fair to say that throughout the union world, throughout the industrial world, throughout the government world, and particularly in latter years in the public sector world where government has a responsibility, there have been inquiries and a search for alternate methods. There's no indication that anyone has yet found the alternate methods.

Bill 100 was the best effort which could be made at the time, as a result of the ongoing problems with the educational system and the struggles within that system, to meet that challenge, to provide alternative means for carrying it out and to eliminate the question of compulsory arbitration.

If one reads Bill 100 there is, of course, no reference to compulsory arbitration. It was an endeavour to provide a more flexible field of choice for those engaged. There were to be the traditional negotiations and there was to be the collective bargaining process. Obviously, an essential concomitant of that process is the right to strike, no question about that.

The bill mirrors and reflects the acceptance by government of that position. Alternatives

were provided, voluntary arbitration was provided. The Education Relations Commission was set up to assist in the mediation, on a continuing basis, of various disputes. The final offer selection opportunity was also provided within the legislation. Those were the various alternatives.

It was a very real effort; it was an effort not only by this assembly, it was an effort by those who were concerned in education—the boards of education throughout the province, the association of trustees throughout the province, the teachers' federation and the affiliated groups of the teachers throughout the province. The initiative, a great deal of the preparatory work and the thought that went into the bill was the work of the Minister of Education (Mr. Wells) and his colleagues in the government; and then the bill was introduced into the assembly.

We have, and the government has, an immense investment of time, of energy, of intellectual contribution, of emotional involvement, in that bill. Let me reflect it in cold statistics. It was only in June, 1975, and in July, 1975, that this bill was dealt with in this assembly. Bill 100 was first read in this assembly on June 3, 1975. The second reading debate took place on June 13, 16, 17; for a total of 7½ hours' debate in the assembly on second reading. The bill was then referred to the standing committee of the Legislature and that committee held a number of meetings—June 19, 20, 23, 24, 26, 27, July 2, 3, 4, 7, 8, 9, 10, 11, 14 and 15; for a total of 55½ hours in the standing committee of the Legislature dealing with Bill 100.

**Mr. Drea:** Is the member making a speech or delivering a doctoral thesis?

**Mr. Renwick:** The bill then came back into committee of the whole House and in the committee of the whole House we devoted another 4½ hours on July 17 and 18. The bill was read for the third time on July 18 and was given royal assent on that same day.

I am saying to the ministry that to introduce a replica of the York bill at this point in time, as if Bill 100 did not exist, is to us an unacceptable position.

This is not as if it were an ad hoc dispute in a very diverse and complex industrial society, such as the elevator strike, such as the transit workers' strike, such as the Metro Toronto garbage collectors' strike. This isn't one of those. This is the first strike under that bill. This is the government's response, being read by the public and perceived by the boards of education and the teachers



across the province as the culmination of each strike; that Bill 100 will be disregarded and a bill similar to Bill 1 will be introduced in order to settle any strike which goes beyond a certain stated period of time in the Province of Ontario in the school system.

**Hon. Mr. Kerr:** That was implied in the Premier's statement.

**Mr. Renwick:** That's how it is read, that's how it will be perceived and that is our concern about the integrity of the bill. Had the government made some real effort to adopt a reasonable alternative solution in its continuing search for a better method of settling these matters, then perhaps we could have found ourselves in support of such a bill. But to have an automatic response to the York bill and introduce again into these relationships the concept of compulsory arbitration was totally unacceptable to us.

So we worked on it and we did as we could best do to devise an alternate, and indeed an obviously better method. I may say, and I give my colleagues in the caucus immense credit, the work that went into this particular amendment is the work of the caucus, it is not the work nor is there any input to that solution either from the boards of trustees or from the Ontario Teachers' Federation or from any other source. It is a creative contribution by the caucus of this party to the ongoing problem of how to deal with these matters.

Just stand back for a moment and look at what we have said in this amendment. We have said, basically, two things: that the terms and conditions offered by the boards to the teachers on Dec. 20, 1975, would be implemented on an interim basis; that's the first thing we said. We did that because we felt it was necessary to give public support to a group of people in the society who feel immensely threatened by the conditions under which they conduct what to them is an important and valuable contribution to our society.

The second thing that we did was to provide simply for an instruction, an instruction of this assembly to the boards of education in Metropolitan Toronto and to the affiliates representing the teachers in Metropolitan Toronto to resume forthwith negotiations in good faith in order to resolve all matters remaining in dispute. I need not repeat that they are responsible bodies on both sides of that argument. The time has come when they should be told to resume negotiations and to find a settlement.

And as an ancillary part of our reasoned amendment to this bill we have provided specifically that the parties shall not withdraw from the negotiations until such time as an agreement has been reached.

That was the third reason, and we remain to be convinced that Bill 1 does not represent, if not an abandonment by the government of Bill 100, at least certainly a strategic retreat by the government in the course of which the bill will be abandoned. Bill 100 will cease to be an efficacious way of solving disputes, because always in the background, conditioning every dispute between boards of education and teachers throughout the Province of Ontario, will be the spectre of the kind of legislation reflected in Bill 1, and that will provide back-pressure throughout the system and will influence every continuing negotiation between boards and teachers which may take place in the future.

Our fourth reason, and indeed our major reason, the purpose for which we couched this and why we spoke of it in terms of presenting the government with a choice, had we been successful in gaining the support of other members of the House or of the Liberal Party as a whole to our proposal, would be to face the government with a clear alternative: Either adopt the amendment or dissolve this Parliament and go to the country on the question. It is that simple. It would have been our wish, being a reasoned amendment, that the wisdom of our proposal would have appealed to the government and if it were passed by this assembly, as it would appear that it will not be passed, that the government would have accepted it in good faith and tried it to see whether or not it would solve the problem.

We do not take away from any of the remarks, made either about the Minister of Education (Mr. Wells) or about the Premier. We believe them both to be sincere men; we believe them both to be conscientious; we believe that they were both available as and when it was, in their view, useful to be available.

We consider them to be friendly men and we consider them to be conciliatory men, and if any of my colleagues or others can think of any other phrases that we could apply to the Minister of Education or to the Premier, we would accept them.

**Hon. Mr. Wells:** I will use that as an election promotion.

**Mr. Renwick:** But that does not in any way make up for the failure of leadership which was drawn to the attention of the assembly



by the Leader of the Opposition (Mr. Lewis), the leader of this party, in his remarks on the bill, and as I said echoed by the leader of the Liberal Party. That failure of leadership, that failure by the government charged with the responsibility for carrying out the administration of Bill 100; that failure by the government to infuse the bill with the spirit which it was intended to have; the failure by the government to deal with Bill 100 in anything but a wooden, spiritless and unimaginative way, is what we categorize as a failure of leadership.

[11:15]

In closing, Mr. Speaker, may I say that the end is not justified by the means which are set out in the bill. Specifically, compulsory arbitration is not the proper concomitant of a return-to-the-school clause in the bill. We ask support for the reasoned amendment which we have put before the assembly. I have tried to outline clearly to the House the purposes we wish to achieve; the reasons why we, in this caucus, sought to find a creative solution to the problem.

By our amendment, we seek to make amends for the failure of leadership by the government. I would ask, even at this late hour in the debate, for my colleagues of the Liberal Party to stand with us legislatively in this assembly and support the reasoned amendment and place the government in the position that they would accept a better solution to this problem, or reject it and go to the country. Thank you, Mr. Speaker.

**Mr. Speaker:** Does any other member wish to take part in this debate? If not, the hon. minister.

**Mr. Bullbrook:** On a point of order, I just want to bring to your attention the procedure with respect to the introduction of this legislation on second reading; after it was moved for second reading the minister then spoke.

**Hon. Mr. Kerr:** He always sums up.

**Mr. Speaker:** The hon. minister has the floor.

**Hon. Mr. Wells:** On that very point, Mr. Speaker—

**Mr. Bullbrook:** He shouldn't have opened the debate too.

**Hon. Mr. Wells:** —I can recall on many occasions having given an opening statement on a bill.

**Mr. Bullbrook:** The minister should have done it in his first remarks.

**Hon. Mr. Wells:** I beg to differ with my learned friend, but I think that if he searches Hansard he will find there are many precedents for a minister speaking twice.

**Mr. Bullbrook:** He is completely wrong.

**Hon. Mr. Wells:** Anyway, Mr. Speaker, I do not intend to take the time of the House, or use the time of the House to any great length, but merely in a plain, simple and straightforward way reply to some of the comments that have been made, make a few comments, and then move this matter of urgency to the next step that it should move to in this House.

I might begin by stating that we came here yesterday with one purpose in mind, and that purpose was to open the secondary schools of Metropolitan Toronto next Monday. That was the only purpose we came here for, to do that; and coupled with it provide a proper and equitable method of settling the dispute which has caused such a long and bitter turmoil in the educational system in Metropolitan Toronto. That's why we came here.

My hon. friend, the member for Riverdale, (Mr. Renwick) presented some very excellent remarks, as have many of the members of this House in this debate. I think it's been a good debate. It's been, for the most part, a reasoned debate. However, last night he did dwell on the fact that he presented his motion to defeat the government; not to open the schools of Metro Toronto but to defeat the government.

**Some hon. members:** Oh, no.

**Mr. Reid:** That's what he said.

**Hon. Mr. Wells:** All right, just a moment.

**Mr. Singer:** Certainly it is. The member for Riverdale gave us two choices.

**Mr. Renwick:** I put it clearly. I will let the record speak for itself.

**Mr. Bullbrook:** He wants to go to the country.

**Mr. Singer:** He said, "Either do as we say, or have an election."

**Mr. Bullbrook:** You want to go to the country?

**Hon. Mr. Wells:** In his usual wisdom, however, he indicated to us this morning that he would not recap what he had told us last night and would begin again, or at least restate points again. I think this morn-

ing he clarified the position which I believe was put forward by his leader in the opening remarks yesterday morning, that there was not really any disagreement with the first principle of our bill that the schools of Metropolitan Toronto should open next Monday.

**Mr. Deans:** That's right.

**Hon. Mr. Wells:** Really, the reasoned amendment being put forward was being put forward as another method of achieving the same ends. I think that has been clarified this morning. But I think it needs to be drawn to the attention of the House that last night the distinctly opposite impression was left.

Let me also say that from time to time during this debate I have heard mention about the involvement of the minister and the Premier of this province, about the fact that government must show leadership and about the fact that a government must govern. I want to say, very simply and very firmly, that we over here believe we were elected last September to govern in this province. We are governing, we will govern and we will govern with firmness and with reason. That is precisely and exactly why we chose to recall the Legislature to present this bill.

We believe that, at this time and in this place, this is the necessary legislation and that this represents firm, reasonable government leadership for this province at this time. Now why do I say that? I have listened to all the talk around here about Bill 100 and the ERC and I must say that basically, while there have been some criticisms about it in this House, I am very appreciative there hasn't been the kind of criticism that I have heard outside of this House.

As I was thinking of some of the criticisms levelled against the Education Relations Commission, an old story came back to me that one of our great Canadians, John Diefenbaker, used to tell at many meetings. I guess he was talking about himself when he used to tell it, but he used to say all you had to do was go into an orchard and look under the best apple tree and you would find the most sticks and stones. I think that perhaps could be applied to the Education Relations Commission, except in place of sticks and stones I guess they are folded Globe and Mail that are being thrown at them.

That is not to mean that the Globe and Mail isn't entitled to disagree with the Edu-

cation Relations Commission, our motivations in setting it up or anything of that nature. Certainly they are. But I think that the Education Relations Commission, Bill 100 and the kind of things that it does have to be defended in this House, and they certainly will be defended by me as the minister and as part of a government that brought in this procedure.

I want to say that, notwithstanding what I hear or read, I still think Bill 100 is a good piece of legislation. At some time in the future we will be reviewing some of its technical details, but I want to tell hon. members that basically, as far as I am concerned, the rights and responsibilities in there will remain, because it is a good piece of bargaining legislation. It's a good piece of legislation that has served us well and will serve us well. It might have helped some of the NDP members' colleagues in some of the other provinces, such as British Columbia or Manitoba, if they had chosen to look at it—

**Mr. Deans:** That wouldn't help this dispute.

**Hon. Mr. Wells:** No, but when I hear the kind of arguments that are put forward in this House about compulsory arbitration and so forth. I am always amazed to remember that is the way teachers' disputes in Manitoba and British Columbia are settled—by compulsory arbitration, by Acts of the Legislature.

**Mr. Renwick:** But you have an obligation to lead.

**Mr. Martel:** It is not the teachers; it is the—

**Mr. Deans:** They are wrong there. We agree.

**Hon. Mr. Wells:** That's fine. All right.

**Mr. Martel:** Get the whole story.

**Hon. Mr. Wells:** What I am really saying to the hon. members opposite is that compulsory arbitration isn't necessarily the great big bad boy that they always make it out to be.

**Mr. Martel:** They trust them out there.

**Hon. Mr. Wells:** It has settled disputes in the Province of Manitoba and, as my friend states, the teachers have never chosen to ask that it be removed.

**Mr. Martel:** They trust the government out there.



**Hon. Mr. Wells:** It is not that they trust the government. It is the fact that the system works; it works in Manitoba.

**Mr. Renwick:** You have a leadership role to play in Ontario, and you know it.

**Hon. Mr. Wells:** Therefore, given the fact that we have these other rights in this province—

**Mr. Bullbrook:** He wants you to go to the country.

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Hon. Mr. Wells:** —this is not the kind of big bogymen that the hon. members opposite would make it out to be.

**Mr. MacDonald:** What about your Throne Speech amendment? What were you after?

**Hon. Mr. Wells:** Let me just say this—

**Mr. Reid:** I thought you had got over that self-righteous baloney.

**Mr. MacDonald:** At least I have, but you never will.

**Hon. Mr. Davis:** I thought he was mellowing.

**Hon. Mr. Wells:** While I am on this point I just want to remind the House, as my friend from Port Arthur (Mr. Foulds) did, and I think that his words were excellent, in his comments about the Education Relations Commission because this is a group—and members will recall during the debate on Bill 100 I mentioned the kind of people I wanted to see on that commission. I mentioned the kind of tough job they would have to do and I think that they have lived up to the kind of challenge that was placed before them.

I don't know whether the members of this House are aware—I am sure they are aware—that the commission is headed by Owen Shime but it also has on it Dean Harry Arthurs of the Osgoode Hall Law School; Dr. Lita-Rose Betcherman, who was head of the women's bureau in the Ministry of Labour here for many years; Gabrielle Levasseur from Ottawa and John Ronson from Mississauga. These five people, I think, are doing an excellent job.

The proof of that is that Bill 100 was passed in July, it set up these new procedures which had never existed in the Province of Ontario, it has had limited staff, it is only now being able to get around to advertising

and bringing in some of the kind of staff complement it is going to need to do the job that I envisaged it doing and which it will do and which will further help the bargaining process in this province.

In that time, there were 27 fact-finders appointed in the elementary panel and 27 settlements were arrived at; there were 15 fact-finders appointed in the secondary school area and 15 settlements have been arrived at, and in the secondary school panel there were 32 fact-finders appointed by the commission and we now have only about eight situations that haven't been solved.

I remember people here saying in this House that we would never be able to find the number of fact-finders and that the kind of procedures wouldn't work. They have worked. The fact-finders have done their job, reports have been brought in and settlements have been arrived at. These are for contracts which expired on Aug. 31. The commission is now working on about 34 to 35 contracts with boards which have contracts with teachers that expire on Dec. 31. About half of these are settled already; fact-finders are involved in the others.

I think when we carry this forward and look at what has happened, Bill 100 has been working, the commission has been doing an excellent job and this legislation deserves a chance to carry on to be appraised and judged in the light of what happens when this crisis period in Metropolitan Toronto has passed. I don't think any of us thought that when this bill was passed we would achieve Utopia. I must say though—and I don't think I said it in this House, but I did say it privately, because of course the spectre of a major disturbance in Metro Toronto hung over our head—I said if that happens it will severely test Bill 100. There is no question it will test it in the minds of the public. It will test it and it will not only test it it will cause a cloud to hang over it which really doesn't deserve to hang over that bill, which I think is a good piece of legislation.

**Mr. MacDonald:** We agree with your views. We wish many members of your own party agreed with you as enthusiastically.

**Hon. Mr. Wells:** Oh well, they all agree with these views.

**Mr. MacDonald:** Oh, we have heard about it on the hustings.

**Hon. Mr. Wells:** I think that it also has to be stated, and I think this is an interest-

ing point, that we heard a lot yesterday about the effects this legislation would have on other disputes. We have heard a lot about the effect that the strike might have on other disputes; the strike in Metro Toronto, and of course there is a strike in the Kent county board at the present time also. But it is interesting, and I would like to tell the House, that since the strike began in Metropolitan Toronto on Nov. 12 there have been settlements in about seven secondary school boards and seven elementary boards and a couple of separate school boards in that period. There have been settlements before the end of the contract, as I stated a few minutes ago, in 17 of the 34 areas where contracts expire on Dec. 31. Some set tentative agreements, reached as late as last week at the same time the vote was going on here in Metropolitan Toronto. So bargaining is going on in the rest of the province, settlements are being arrived at and the procedures of Bill 100 are carrying on.

[11:30]

In our discussion of Bill 100, in drafting the rights and responsibilities of the Education Relations Commission, one of those responsibilities which we gave to them was to advise the executive council, the Lieutenant Governor in Council, when in the opinion of the commission the educational programmes of the students in an area where a withdrawal of services or a lockout was occurring would be in jeopardy. We put that in in order to protect students' programmes, students' rights and students' interests. We left it up to the commission to decide how they should discharge that responsibility.

We put it in because we felt, as I said in my opening remarks, having given the procedures under Bill 100 and having established the right of teachers to withhold their services and of boards to lock out, there may come a time in a public interest dispute in the public sector where there may have to be some other interest that takes paramountcy. In this case we felt it would be the educational programmes of the students and so we left that duty up to the Education Relations Commission. They have fulfilled that duty.

There has been criticism of the fact that they didn't comment or make any suggestions on the particular function that they have before last Saturday. That kind of criticism has to be coupled with the other duties that they have, one of which is to attempt in any way possible to help the parties reach a negotiated settlement. I think

there's no question that all of us feel a negotiated settlement between parties is the best way to solve a dispute. I think that the commission in their wisdom felt that way too and they instituted procedures to attempt to bring that about.

Whether we agree or disagree with the procedures they established, the kind of mediation, the troika situation that they created, I don't think matters. What really matters is that they were attempting to bring about a negotiated settlement. It was only at the point when that seemed impossible to them that they then felt that they should discharge their function of deciding whether they should recommend to us whether the educational programmes of the students were in jeopardy. They did that after they had held public hearings last Saturday in order to give the parties and, I think rightfully so, the public of this city a chance to hear the positions of various people connected with this dispute.

I would recommend to my friends—although this certainly doesn't justify the position that I am bringing in in this bill today but it does justify the one principle of the bill that the schools should open on Monday—the brief presented by the secondary school teachers of Metropolitan Toronto. First of all, they acknowledge all the processes that have gone on in this dispute and all the things which have occurred. After having acknowledged all that, the Education Relations Commission, the involvement of mediators and fact-finders, they say it's an understatement to say that the full facilities of the commission and of the government have been utilized in these protracted and difficult negotiations.

They recognize that all the processes, including the involvement of this government in some personal way, have been used in trying to bring about a negotiated settlement in this dispute but that they then further go on and make a comment. It would be very interesting for various members to read the documentation for this very simple statement which they then make:

The purpose of today's hearing is to determine whether or not the continuation of this strike will jeopardize the successful completion by the students of the current school year. The teachers, who are and always have been deeply concerned about the welfare of their students, say that it most undoubtedly will.

Then they go on in a rather detailed way to document the various programmes and various courses of study.



That brings me to my second premise that this government is showing leadership because it allowed the processes of Bill 100 to run their course. It then accepted the advice from the Education Relations Commissions and the opinions of others, as we have read them, which was that the pupils' programmes would be placed in jeopardy and that the government should act. At the very point when we received that advice, we decided that the course of action for this government was not to waffle, not to sit around and do nothing but to act, to take action, to ask that the Legislature be recalled and to bring in this piece of legislation so that we could prevent what the Education Relations Commission and many others say will happen if the schools of Metropolitan Toronto do not open this Monday.

**Mr. MacDonald:** So far, go good.

**Mr. Singer:** That certainly is leadership.

**Mr. Shore:** You don't believe that yourself.

**Hon. Mr. Wells:** I do believe that myself.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** The member for Wilson Heights voted for Bill 100.

**Mr. Singer:** A little chaos and then some statutes, make some speeches and that's leadership.

**Hon. Mr. Davis:** You voted for the bill.

**Mr. Singer:** Not because of the leadership, but to try to help the situation.

**Hon. Mr. Davis:** No, you voted for Bill 100.

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Hon. Mr. Wells:** There's one other piece of information and one other premise I think that I should make. That is, of course, that in bringing in this legislation and acting, we not only had to act on the advice that the commission gave and the opinions that we received concerning the pupils' programmes being placed in jeopardy, but we then had to ask ourselves were meaningful negotiations still taking place or could they take place?

**Mr. MacDonald:** That's right, and the answer is yes.

**Hon. Mr. Wells:** I beg to differ with my friend, but in my opinion—and I must clarify it and say in my opinion—in the recommendations I made to this government, I had

to tell them, no, I didn't feel meaningful negotiations could take place.

**Mr. Deans:** I think you were misled.

**Mr. MacDonald:** That's where you began to make your mistake.

**Hon. Mr. Davis:** No, no. That's where it became necessary—

**Hon. Mr. Wells:** All right, my friend says I began to make my mistake—

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** —and members opposite are trying to get around the responsibility.

**Mr. Speaker:** The hon. minister has the floor.

**Mr. MacDonald:** Under our reasoned amendment presented for this legislation, they get back Monday morning.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** Listen, Donald, you can fool some people, but we know better.

**Mr. Martel:** Nobody tries to fool you, Bill.

**Hon. Mr. Davis:** Oh, yes, you do.

Interjections.

**Mr. Speaker:** Order, please. Everybody has had the opportunity to debate the matter. The hon. minister is replying. Thank you.

**Mr. Singer:** He's out of order, though. There's nothing in the bill about what he's talking about. He's out of order. Be firm with him, too. Threaten him.

**Hon. Mr. Wells:** My friend says that his opinion differs from mine. Well, let me stake my claim to why I made my opinion. Now, the member can disagree with that after, if he wants, but let me tell him why I arrived at that decision. Because I didn't arrive at it out of the air; I didn't arrive at it in isolation.

**Mr. Shore:** I suggest you did.

**Mr. Givens:** You did.

**Hon. Mr. Wells:** If the member suggests that I did then let him listen for a few minutes.

**Mr. Singer:** What section of the bill is that mentioned in?

**Hon. Mr. Wells:** I must say that I hesitate to recite some of these events, because I just want to say categorically that while

I accept that a minister of this government, and at particular times, the Premier of this province, has a responsibility to become involved in disputes—there's no question about that—the part where I differ is that I don't think we all have to take the Bryce Mackasey approach that what really is needed is not necessarily involvement in the dispute, but whether you can get enough publicity and everybody is aware that you're involved in the dispute. After all, I think that there is a place in some of these things to quiet down the kind of public perception that goes on about what's happening and to handle things in a quiet manner.

**Mr. Singer:** And you're certainly quieting it down.

**Hon. Mr. Wells:** What I'm going to say is that I have been involved over the past few days, not in a way that was attempting to get headlines or suggest that great action was happening, but merely to try and establish two things. And those two things were: Could meaningful negotiations continue? Could we get a negotiated settlement without this government having to legislate, given the fact that we knew we had to bring this dispute to an end quickly and by next Monday?

**Mr. Good:** You knew before Christmas you had to legislate. It's all grandstanding.

**Hon. Mr. Wells:** I began last Friday by asking the parties to come in and meet with me, which they did. And I asked the parties where they stood at this particular time, knowing that a board proposal had been put forward—a board proposal, a board offer, whatever you want to call it, had been put forward—had been voted on and had been turned down by about a two-thirds to one-third margin last Wednesday.

I said, "Where do you stand?" The school boards told me that they were willing to sit down with the teachers and talk about any misunderstandings in the offer that was put forward, any clarifications, perhaps some readjustments within that offer, but that they stood very firmly on this one principle that there was no more money that they would put into the contract—into the monetary matters.

**Mr. Renwick:** But there was more money.

**Mr. Shore:** We knew that three weeks ago.

**Hon. Mr. Wells:** Before the Education Relations Commission—although they didn't say this to me—I am told that board said also

that it was their position that they would put no more money into the contract. But they also agreed that they were not saying it because there was not more money, but that that was the position that they were taking as elected trustees. Now, they didn't say there wasn't more money, they said this—

**Mr. Shore:** That was three weeks ago.

**Mr. MacDonald:** Did they change their mind by yesterday morning?

**Hon. Mr. Wells:** I want to tell you that as far as I can discern from my discussion, that was a unanimous feeling of all the chairmen of all the boards in Metro Toronto; and I don't think I am betraying any confidences on that.

**Mr. Lewis:** I think that's quite fair.

**Hon. Mr. Wells:** I wanted to assure myself. Therefore, the position was: "We will sit down and negotiate; we will sit down and talk, if it's within these parameters—but there is no more money." I then spent about 2½ hours with the full teacher negotiating team of about 18 or 20, talking the matter over with them. It became very clear to me that they were not interested in sitting down unless there was an indication that there was more money in the pot available for redistribution—or however you want to put it—there had to be some indication that there was more than a discussion about misunderstandings in the contract, and they said they didn't feel there were any misunderstandings.

**Mr. Good:** Better call the vote before you talk us out of supporting you.

**Hon. Mr. Wells:** And if that indication wasn't present, there was no use sitting down and negotiating.

**Mr. Givens:** You are wonderful; you are wonderful. Now, let's vote. Come on.

**Hon. Mr. Wells:** Listen; all right now, we've—

**Hon. W. Newman:** Listen to who is talking.

**Mr. Shore:** You could have made the same speech on Dec. 17.

**Mr. Givens:** Let's go; let's go.

**Hon. Mr. Wells:** I've sat—just a minute now.

**Mr. Speaker:** Order, please. The hon. minister.



Interjections.

**Hon. Mr. Wells:** I sat here all day yesterday and listened to a number of speeches in this assembly, and I am entitled to summarize them. I think as a—

**Mr. Speaker:** Order, please. I believe, Mr. Minister, there was a point of order.

**Mr. Foulds:** Point of order, Mr. Speaker.

**Hon. Mr. Wells:** And this is a rational speech.

**Mr. Good:** Self-adulatory—

**Mr. Foulds:** Mr. Speaker, the member for Armourdale (Mr. Givens) spends little enough time in this Legislature as it is. I believe he should have the courtesy to listen to the minister.

**Mr. Speaker:** That was not really a point of order. The hon. minister will continue.

**Hon. Mr. Davis:** What is the member doing applauding a criticism of his colleague?

**Mr. Speaker:** The hon. minister.

**Hon. Mr. Davis:** They sit side by side.

**Hon. Mr. Wells:** I am sorry to tax his attention span, but I am going to continue on a little further.

**Mr. Givens:** You tax everything else.

**Mr. Good:** You are taxing all right.

**Mr. Lewis:** It was the only vulgar contribution to the debate. Let him speak.

**Hon. Mr. Wells:** I then held further meetings on Monday of this week, on Tuesday of this week, and on Wednesday of this week—one meeting with the parties together in a smaller group, and with representatives of the parties individually at other times. At no point could I see any thread or any way that any meaningful negotiations were going to occur. So, in coming to my colleagues, I had to tell them that as far as I could see there were no meaningful negotiations possible.

I might also point out that in one of those meetings—and I think that this is crucial to the debate and our consideration of the motion that is being put forward today—the board negotiators also informed me that by resolution they had withdrawn their board offer and that it no longer was a viable offer, and therefore it was not available for discussion. That was their position.

I also received notification by mail that the North York Board of Education and the Scarborough Board of Education had, by resolution, repudiated that offer. It became very plain to me that that offer arrived at through the mediation process at the Royal York was something beyond which many of the trustees in Metropolitan Toronto felt they could support. Now, I say that because I think that that was the preception that I certainly got listening to what happened after.

**Mr. Nixon:** A little speech from the gallery at this point?

**Hon. Mr. Wells:** I also think that if it had been accepted by the teachers that the board negotiators would have, in a very determined manner, sold it to their trustees—

**Mr. Shore:** Looking for a new job.

**Hon. Mr. Wells:** —and I think they could have sold it. But having been turned down, the credibility of that offer became very, very bad indeed.

**Mr. Shore:** Very interesting point.

**Hon. Mr. Wells:** All right, so we have arrived at that point. We are now at the point where this government had to act and we then had to divide the bill to bring about a resolution of this problem. We've accepted the premise that everyone agrees with the first principle of this bill that the schools should open next Monday.

[11:45]

**Mr. Lewis:** One thing the minister never did was have the Premier (Mr. Davis) bring them together and ask for a settlement. That's the one matter that never occurred.

**Hon. Mr. Wells:** I must say that in this government, when any minister acts, he is also acting on behalf of the Premier and this whole government.

**Mr. Lewis:** I respect your authority, but the Premier is wrong.

**Mr. Renwick:** There is a mystique surrounding this Premier.

**Mr. Martel:** I'm not so sure.

**Mr. Lewis:** Mistake or mystique?

**Hon. Mr. Wells:** We therefore, had to bring forward into this House a bill that would, in our estimation, cause the schools to open on Monday and bring about a settlement of this matter. We have brought in that bill. We

have established the back-to-work procedures. We've also established in the bill a procedure whereby a finality can be brought to this situation.

**Mr. Martel:** A rough boot.

**Hon. Mr. Wells:** The way we have decided that that finality can be brought is by binding arbitration. It is a situation where, as quickly as possible upon the return to school of those teachers, we will appoint that arbitrator within 30 days.

**Mr. Nixon:** Who is it, by the way?

**Hon. Mr. Wells:** It would be presumptuous of us to have announced it until this House has approved the legislation, but we will move as quickly as possible to appoint that arbitrator. We hope that within 30 days he will have a determination of this matter and that negotiations, notice of which began a year ago today, can be brought to a finality very quickly. We will appoint the arbitrator very quickly.

I might also point out, and I acknowledge this and I'm sure all members of this House acknowledge it, during that period, and particularly during the seven days provided in this bill for the giving of notice to the arbitrator of those matters agreed upon and those matters in dispute, there is ample opportunity for a negotiated settlement. We don't have to say in a bill that the parties have to get back and negotiate. If there is, as my friend says, room for negotiation, they have the opportunity to get back and negotiate it at any time during the next 30 days, but particularly during those seven days when they sort out what is still in dispute and what has been agreed upon.

**Mr. Lewis:** It won't happen. There is no incentive to negotiate.

**Hon. Mr. Wells:** All they have to do is present to the arbitrator the fact that they have reached an agreement, and the arbitration process will cease. That can even happen after they start their presentations to the arbitrator. So, we're not ruling that out.

**Mr. Nixon:** There should be an amendment on the term of the arbitration.

**Mr. Renwick:** It is obviously up to the boards to make another offer, is that what you are saying?

**Hon. Mr. Wells:** All right. The point I'm making is we're not ruling out negotiations. We don't have to say in this bill, "Go back and negotiate."

**Mr. Lewis:** Oh, come on! You are imposing compulsory arbitration now.

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Mr. Nixon:** Mr. Speaker, will the minister permit a question on the point he is making? Since it is possible that the arbitration will become redundant if there is a settlement—and this is a possibility, we now all agree, within the next week or two—would it not then be incumbent on the minister to accept an amendment, which I referred to in my comments yesterday, that the bill be amended so that the term of the arbitration ending in 1976 under the provisions of the bill be made more flexible? We could leave that term as the outer limit but add a phrase which would allow the arbitrator himself to end arbitration if circumstances such as this or the imposition of a six per cent level from AIB for the second year become apparent.

**Hon. Mr. Wells:** I would be willing to discuss that when we get to the committee stage. Let me just digress and tell you why we put in the two-year term.

**Mr. Nixon:** Then you will have the amendment.

**Hon. Mr. Wells:** First of all, in all the negotiations up to the last board offer, which was arrived at through the mediation process, they were talking about a two-year agreement. The elementary teachers have a two-year agreement. It's practically at the end of the first year now. Negotiations should really have begun this week or last week on the next contract.

**Mr. Nixon:** They will get notice of it anyway.

**Hon. Mr. Wells:** One of the things of utter paramountcy in this dispute is that we get and re-establish a harmonious relationship. I believe we can do it. It is not going to be easy, and we're all going to have to work, particularly the teachers, trustees, parents and students, to re-establish a harmonious relationship and to rebuild respect between all these groups in the schools. I don't know how that's going to be done. I have every confidence that it can be done, but I think it can also be done much better if the whole negotiating process isn't going to start over again the minute this arbitrator makes his decision—or even before the arbitrator makes his decision for the next contract. I think we need that period of stability.



I really think that both the parties, although they may not admit it publicly, would really welcome that kind of a contract.

I point out to you that it doesn't have to be punitive. Some people feel that a two-year contract is punitive. As long as it is properly presented, and as long as it has the kind of protection that can be built into it, it isn't punitive. I think there are great advantages to that particular kind of contract. However, I will be glad to discuss that with my friend during the committee stage.

**Mr. Nixon:** At that stage the amendment will be before you.

**Hon. Mr. Wells:** Let me just say this. In the argument about the methods that we have chosen, and the amendment put forward by the New Democratic Party—

**Mr. Deans:** Before the minister does that, wouldn't he leave it up to the arbitrators to decide on the length of contract?

**Hon. Mr. Wells:** I've indicated my reasons for a two-year contract, and I'd be happy to discuss that in more detail—

**Mr. Deans:** I understand that, but if they are valid the arbitrator will accept them.

**Hon. Mr. Wells:** —when we get to that section in committee.

The proposition put forward by the New Democratic Party in their reasoned amendment—which we can't accept—first of all suggests that an interim floor position be put in—which is one that has been withdrawn by the trustees, which has been voted against by several boards in this area and which is, as far as I'm concerned, a totally unrealistic position.

**Mr. Renwick:** You can't have it both ways.

Interjections.

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Hon. Mr. Wells:** The second premise is that the bill asks that negotiations continue. I submit to you that that brings no finality to the matter. What it does is that it removes the strike right and says, "Keep on negotiating"—but brings no finality to the matter.

**Mr. Lewis:** We could bring it back in February if nothing has happened.

**Hon. Mr. Wells:** I point out to you another of your friends in British Columbia proposed that same kind of arrangement. It has brought no finality.

**Mr. Lewis:** Oh yes it has. The settlement ensued a few days later.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** There was a settlement in the major areas.

**Mr. Speaker:** Order.

Interjections.

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Hon. Mr. Wells:** In only some areas; there are still some outstanding areas where there has been no settlement achieved.

Interjections.

**Hon. Mr. Wells:** I would submit that it really could be argued. It could be argued that the kind of arrangement that you've suggested in your reasoned amendment of putting in a board offer which has been withdrawn—

**Mr. Deans:** That's negotiating—

**Hon. Mr. Wells:** —and putting in a continuation of negotiations with removal of the right to strike could be argued—

**Mr. Lewis:** That principle is a political ploy.

**Hon. Mr. Wells:** —as a greater impediment to collective bargaining than the kind of thing that we are suggesting.

**Mr. Lewis:** You don't think that?

**Hon. Mr. Wells:** I certainly do. I think that anybody looking at that could say: "Well, the obvious thing to do is to get the Legislature to legislate some kind of a settlement for you."

**Mr. Renwick:** No, you did it on two other occasions.

**Mr. Speaker:** Order, please. The hon. minister has the floor. Everybody has had the opportunity to debate the issue.

**Mr. Bullbrook:** Why do you provoke the member for Riverside like that?

Interjections.

**Mr. Speaker:** Order, the hon. minister only.

**Mr. Lewis:** Would the hon. minister accept a question?

**Mr. Speaker:** Would the hon. minister accept a question?

**Mr. Lewis:** I think he probably would. He's a reasonable person. Why did you include, specifically, a floor—

**Mr. Bullbrook:** He wants to go to the country on this.

**Mr. Lewis:** —in the York county settlement and in the transit worker settlement, prefaced by statements by the ministers? We have them saying in Hansard: "If there is compulsory arbitration, there should be a floor below which the arbitrator cannot go." Why was it appropriate then, but not appropriate in this legislation?

**Mr. Shore:** Mr. Speaker, you said this wasn't a debate.

**Mr. Lewis:** He granted the right to ask a question.

**Hon. Mr. Wells:** I think that in this particular situation, given the fact that this was an offer that was rejected by the teachers—

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Wells:** It was withdrawn by the boards, so it certainly couldn't be accepted as a floor in the sense of the one that we put in in the York county situation.

**Mr. Deans:** Will you accept another floor?

**Hon. Mr. Wells:** I might point out that in my mind there are no other floors, or propositions or offers that could be put in in the same context as that matter in the York county dispute.

**Hon. Mr. Davis:** It's only 30 days.

**Hon. Mr. Wells:** Now, I think that the—

**Mr. Bullbrook:** They want to go to the country on this issue.

**Hon. Mr. Davis:** I wish they would.

**Hon. Mr. Wells:** I think that the proposition of having an arbitrator make his decision within 30 days can very conveniently solve this problem without a floor.

Interjections.

**Mr. Bullbrook:** Ten NDP, 12 Liberals, and all the rest Tories.

**Hon. Mr. Davis:** Maybe even Sarnia.

**Mr. Bullbrook:** Oh, perish the thought.

**Mr. Speaker:** Order, please. The hon. minister will continue.

**Hon. Mr. Wells:** Can I also remind my friends that there are, I am told, some other precedents for this kind of legislation? One of them is in the Province of Saskatchewan where Premier Blakeney ordered the hydro workers to cease and desist a walkout and imposed compulsory arbitration with no floor, which I think indicates—

Interjection.

**Hon. Mr. Wells:** —that there can be merit to the kind of suggestion that we are putting forward.

Mr. Speaker, I think that rather than take any further time of this House there are just two things that I would like to say. First of all I think I would just like to indicate that we are, and this is a matter of information, we are going to institute a very in-depth research study of the effects of this strike and the manner in which the pupils' programmes are made up after the strike is over. This will be done in depth by our ministry working with the boards of education and the teachers in Metropolitan Toronto because I think that kind of factual information will be helpful to all of us and all members of this House if we, and I hope we never do, face this kind of a situation again.

Further, let me just say that I think the bill we have here today is a fair one; it's a reasonable one; it shows that this government is exercising leadership. It shows that we are here to govern. It shows that what we feel has to be done is that the schools of Metropolitan Toronto must be open next Monday for the educational welfare of the 140,000 students. It shows that we want a quick and positive finale to the dispute that has caused bitterness and frustration among the teaching profession and the public and the trustees in Metropolitan Toronto.

I would say very plainly and simply, Mr. Speaker, that we are here today not to blame teachers, not to blame school boards, but we are here to open the schools. We are here to start back on the road to building a harmonious relationship in the classrooms of Metropolitan Toronto. And I can't emphasize that more strongly.

We've got to rebuild the respect, the confidence and the sense of goodwill that is necessary for quality education and a quality learning experience in those classrooms. That is what I want. And that is what we have got to do.

We have to rekindle somehow these kinds of qualities between and among the trustees, the teachers, the parents and the students and the general public in Metropolitan To-



ronto. I want to tell you that I am going to do everything possible and this government is going to do everything possible to do that, and we are confident that the trustees and the teachers and the community at large will also do the same, because that is what we have got to do.

And what does that mean? That means that our responsibility here today, right now, is to vote in favour of this bill. And I hope the House will do it unanimously.

**Mr. Speaker:** Hon. Mr. Wells had moved second reading of Bill 1. Mr. Lewis then moved a reasoned amendment which stated that Bill 1 be not now read a second time and he gave the reasons therefor.

The first question, of course, in such cases is: Shall the word "now" and the other words sought to be struck out stand as part of the motion?

[12:00]

The House divided on the motion that Bill 1 be now read a second time, which was approved on the following vote:

AYES	NAYS	AYES	NAYS
Auld	Angus	Kerr	
Belanger	Bain	Kerrio	
Bernier	Bounsall	Lane	
Birch	Breaugh	Leluk	
Brunelle	Bryden	MacBeth	
Campbell	Burr	Maeck	
Conway	Cassidy	Mancini	
Cunningham	Davidson	McCague	
Davis	(Cambridge)	McEwen	
Drea	Davison	McKeough	
Eakins	(Hamilton Centre)	McMurtry	
Eaton	Deans	McNeil	
Edighoffer	Foulds	Meen	
Evans	Germa	Miller	(Haldimand- Norfolk)
Ferris	Gigantes	Miller	(Muskoka)
Gaunt	Godfrey	Morrow	
Givens	Grande	Newman	(Durham North)
Good	Laughren	Newman	(Windsor- Walkerville)
Gregory	Lewis	Nixon	
Grossman	Lupusella	Norton	
Haggerty	MacDonald	Parrott	
Hall	Mackenzie	Peterson	
Handleman	Makarchuk	Reed	(Halton- Burlington)
Henderson	Martel	Reid	(Rainy River)
Hodgson	McClellan	Rhodes	
Irvine	Moffatt	Riddell	
Johnson	Philip	Ruston	
(Wellington- Dufferin-Peel)	Renwick	Scrivener	
Johnston	Samis	Shore	
(St. Catharines)	Sandeman	Singer	
Jones	Swart	Smith	(Hamilton Mountain)
Kennedy	Warner	Smith	(Nipissing)
	Wildman	Smith	(Hamilton West)
		Snow	
		Spence	
		Stephenson	
		Stong	
		Sweeney	
		Taylor	
		Timbrell	
		Villeneuve	
		Welch	
		Wells	
		Williams	
		Yakabuski — 75	

NAYS  
Ziemba — 32

**Clerk of the House:** Mr. Speaker, the "ayes" are 75, the "nays" are 32.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** Shall this bill be ordered for third reading?

**Mr. Bullbrook:** No.

**Mr. Speaker:** Committee of the whole House?

**Hon. Mr. Wells:** Yes.

[12:30]

### METROPOLITAN TORONTO BOARDS OF EDUCATION AND TEACHERS DISPUTES ACT

House in committee on Bill 1, An Act respecting the Metropolitan Toronto Boards of Education and Teachers Disputes.

**Hon. Mr. Welch:** Mr. Chairman, before the clause-by-clause discussion I would like to indicate there has been general agreement that the committee will sit now until we finish this work. In other words, we will sit through the luncheon hour and not have a break for lunch, so members can make their own arrangements. We will stack whatever votes there may be in committee and have one bell.

Agreed.

On section 1:

**Mr. Chairman:** Hon. Mr. Wells moves that clause (b) of subsection 1 of section 1 of the bill be amended by striking out "and" at the end of sub-clause v, by adding "and" at the end of sub-clause vi and by adding thereto the following sub-clause vii, "the Metropolitan Toronto School Board."

**Hon. Mr. Wells:** The reason for this is that, while the Metropolitan Toronto School Board doesn't directly employ any secondary teachers, it is a signatory to the agreement and therefore should be in. We had debated this at first, that is not to put them in the bill because they didn't employ any teachers. The Metro school board and the elementary panel do actually employ teachers in special education circumstances.

**Mr. Lewis:** Mr. Chairman, just before the amendment is put, I want to add a thought. Of course the amendment will be passed and of course it won't be stacked and of course there is no problem, but it is ironic that the Metro school board was left out of the legislation initially. It might have spoken to the

unconscious sense in the minds of bureaucrats in the minister's department—I daren't say in the mind of the minister himself—that the whole negotiating process this time has demonstrated that there is something very wrong with the Metro board procedure and that one of the things we may be emerging toward, in Metropolitan Toronto, is negotiations with the individual boards, probably resulting in agreements rather more easily than the sad pattern of the last several months.

I know there are many individual boards thinking about that terribly seriously at the present moment. I am sure the oversight isn't attributable to some Freudian base, but I smiled to myself last night when it was drawn to my attention because it speaks to a reality: The Metro board system is not working.

**Mr. Chairman:** Does the minister wish to speak?

**Hon. Mr. Wells:** I would have to differ with my friend on his last comment. I don't think we can categorically say that the system is not working.

I think there may be room for improvement in the negotiation area. As he knows, the metropolitan school board, as one of its functions, does not negotiate the salaries and does not employ the teachers, but the negotiations have been on a joint basis by agreement.

**Mr. Lewis:** Yes, I agree.

**Hon. Mr. Wells:** Sometimes, in generalization, people say the Metro school board is negotiating, but they really are not. It is a committee of board chairmen, made up of all the boards and the Metro chairman, who also sits as a trustee on one of the area boards. This is the body that is doing the negotiating.

I would have to say that I think that certainly, having once been head of a negotiating team for the Metro trustees, the stage at which we have arrived in Metro where we have joint negotiation of the boards and the teachers is a much better system than individual negotiations.

**Mr. Chairman:** Shall the minister's amendment carry?

Agreed.

Are there any further comments, questions or amendments to any other section of the Bill? If so which one.

**Mr. Deans:** Mr. Chairman, section 3.

**Mr. Chairman:** Is it in agreement then that section 2 is carried?



Section 1, as amended, agreed to.

Section 2 agreed to.

On section 3:

**Mr. Deans:** Dealing with an amendment I propose to make requires amendment of two subsections, subsection 4 and subsection 5. I would like to place both amendments at the same time in order that they can be considered simultaneously.

**Mr. Chairman:** Mr. Deans moves that subsection 4 of section 3 be amended by adding after the word "parties" in the fifth line the words:

Including in the case of the written notice to the arbitrator from the boards the last offer of the boards to the branch affiliates.

Mr. Deans further moves that subsection 5 of section 3 be amended to read as follows:

(5) The arbitrator, upon receipt of a notice, shall examine the last offer of the boards to the branch affiliates and on the basis of that offer shall examine into and decide all matters that are in dispute between the parties as evidenced by the notice referred to in subsection (4) and any other matters that appear to him to be necessary to be decided in order to make a decision no less favourable to the branch affiliates than such last offer.

**Mr. Deans:** Mr. Chairman, the effect of what we have moved is to ensure that the arbitrator will not make a decision that is less than the offer that was before the teachers on Dec. 20, 1975.

It is not uncommon for legislation proposed by this government to contain a base from which the arbitrator has to work. We happen to feel that that is a desirable feature in a bill such as this, although we frankly don't agree with the bill itself. We feel that it provides a certain amount of fairness in whatever decision is finally arrived at.

I listened to the minister with interest today talking about how the boards had withdrawn their offer. I want to say that we came to the conclusion that the boards' last offer was the fairest offer to discuss.

We assumed, perhaps naively, that when the boards made the offer they actually intended to pay it. We thought that when they made the offer they were prepared to live up to it. We thought that when they put that offer before the teachers, they did so in good faith and that had it been agreed upon then they would have gone ahead and implemented it. With that in mind, we therefore

decided that since the boards had offered that particular settlement, that would be the settlement upon which any floor should be based, or the lowest level that the arbitrator could determine.

We are prepared to concede that that may not be the only floor. We are prepared to concede that it may be that there's another base, a base more satisfactory, a base that the government can accept.

**Mr. Lewis:** The October offer.

**Mr. Deans:** The October offer, as my leader says. It may be there is another base that can be established to ensure that there be fairness in the final arbitration decision, to ensure that the teachers can go back into the classroom knowing at least that that which they had already been offered is guaranteed. They can then turn their minds away from the dispute entirely and address themselves solely and particularly to the matter of educating the children before them; that they don't have to now concern themselves about what goes on behind the scenes before the arbitrator.

I want to deal with one matter that worries me, before we talk any further about the amendment itself. We put this amendment because we happen to believe it to be useful. We happen to believe it to be consistent. We happen to believe it to be consistent with this government's own philosophy about boards of arbitration and decisions that be made.

I was worried yesterday when it came to my attention that the government would consider the passage of this sort of amendment as a non-confidence matter. I walked away shaking my head and wondering just why I bother getting up in the morning and coming to the Legislature and taking part in the debates and thinking about the legislation placed before us and worrying about its impact, if I am forever going to be threatened with an election if I decide to propose something that I think might help to strengthen the legislation. I wonder whether I might not better have stayed in bed and left them to make their own decision, because obviously they weren't prepared to talk with us.

Maybe they are now prepared to talk with us. Maybe there is a compromise somewhere that we can achieve that will ensure that when those teachers go back into the classroom that they will be able to do so without feeling that they have been totally destroyed by this Legislature, and that their future has been threatened by the imposition of the legislation—that at least there's some sort of

sense that there's justice in this chamber. I think that's really what we're talking about. [12:45]

We all agree the teachers will go back to work on Monday; we've always agreed on that. We made it clear right from the outset that on Monday morning at 9 o'clock, or whatever time it happens to occur, the school doors will open and the teachers will be there and the pupils will be taught. We have no disagreement on that.

We disagreed on the method of resolving the outstanding dispute, and we thought that we had offered a reasonable method of trying to resolve it. It differed from the government's method, but we still felt that it was as reasonable an approach as the approach of the government—in fact, we thought it a little more reasonable, so we proposed it.

We worried more about the effect of what has gone on and the effect of what we are currently doing on the educational system. We worried a lot about trying to ensure that when those teachers finally went into the classroom the pupils could look to them with respect and understanding and the teachers could hold their heads up and feel that they had at least accomplished something as a result of the exercise that they've gone through.

This Legislature, to this point, hasn't agreed that that's valuable but we still think it is. We think that's very valuable. We think that may well be the foundation upon which the relationship between the pupils and the teachers, and the teachers and the boards will begin to redevelop and to reassert itself, and the foundation upon which the kinds of relationships that we hope will be accomplished and know are necessary will be based.

What we're asking the government to do is if it feels that there is another offer more acceptable than the one that we're proposing, then tell us what it is, but don't reject out of hand the proposition that there ought to be some floor below which the arbitrator cannot go as a result of the actions that we take.

Let me refer to the two most quoted pieces of legislation. The Toronto transit labour dispute settlement said—and this was passed in 1974—in section 7:

The basic hourly rates of wages for employees to whom this Act applies are hereby increased by 12 per cent over the basic hourly wage rate in effect on the expiry date, retroactive in each case to the day immediately following the expiry date, and the decision of the arbitrator shall include such increase.

Nothing in this section prevents the arbitrator from granting increases on the basic hourly wage rate in excess of those established in this section. You recognize that in order to gain goodwill, in order to gain a sense of justice, in order to assure those employees that there would be no possibility of being victimized as a result of the actions of this Legislature, there had to be a floor below which the arbitrator couldn't operate. That was the first point.

In the York county teachers' dispute we did likewise—a little more complicated perhaps—and perhaps something similar could have been worked out in this case, though, frankly, we were unable to do it because we didn't have all the details. In the York county dispute it was determined, and I quote from section 4:

The rates of salaries for teachers in categories 1 to 4 as set out in the schedule to this Act are effective on and after Sept. 1, 1973, until the award made by the board of arbitration under this Act becomes in operation. The decision of the board of arbitration [and this is the key] shall not provide for rates of salaries in categories 1 to 4 less than the rates of salaries as set out in the schedule for such categories.

This said that we in the Legislature were approving a floor level below which the arbitrator should not, could not, would not go. Now we're suggesting, given that this is an unusual circumstance, given that we do want to maintain the collective bargaining system as it exists, given that Bill 100 is succeeding to whatever degree—we all agree it's succeeding fairly well—there has to be an understanding of the unique circumstances in this dispute, and that it makes some sense then to establish some kind of level below which the arbitration can't go.

For the government to suggest that they would hold an election on the basis of this amendment is absolutely ludicrous. To suggest that it would even threaten to call a general election in the Province of Ontario, because we wanted to put a base level in this Act, is blackmail.

You may have succeeded with the other party but you are not succeeding with us because we think it's worthwhile. If they are afraid to stand up and be counted on the things they say they believe in, then I want to tell you we are not.

This is consistent with government policy, and this is a guarantee to the very people who on Monday morning have to resume their teaching duties. It's also a guarantee to the parents and it's a guarantee to the stu-



dents that the undivided attention of those teachers will be given to that, and that they won't be worried about what is going to happen before the arbitrator. I ask you to think quite seriously of whether or not you can accept this clause or a similar clause to insert in this bill to ensure that this happens.

While I am on my feet, I want to deal with one other matter that relates directly to this clause. The minister says that the boards have now withdrawn the offer that they made on Dec. 20. I want to tell you that part of the reason for that, if not all of the reason for that, is the direct result of the cutbacks of this government in the various fields, including the field of education.

Let me tell you the reason why I say that. In one instance alone, which doesn't touch exactly on the Metro situation but which is a parallel, in the case of the Hamilton board, as a result of the cutbacks, they will not be able to provide the same level of education that they previously provided. I assume that similar kinds of situations will prevail in Metropolitan Toronto. I assume, for example, in those areas where new housing developments have occurred, as in the case of Hamilton, and where there were clear evidences of the need to build facilities to educate the children who are living in the areas, the boards will not be able to proceed with the development in the way in which they have to in order to meet their obligations. Those things all affect the decisions that the board has to make with regard to the expenditure of funds.

The government itself has injected or interjected or whatever you want to say—imposed, I suppose—itself into the dispute by virtue of the cuts that were announced in the way in which education can be provided. You have to share some of the responsibility. I am not suggesting all of it, but I think that affected the decisions of many of the people involved in the negotiations.

I ask the minister to give serious consideration to putting in a clause. I ask him to stop threatening us with this nonsense. We are here to do a job. We are trying to do it to the best of our ability. You will have an election some day when you decide to have it. It will have nothing to do with anything we do. It will have something to do with what your monthly polls tell you about your popularity. It will have nothing at all to do with what happens in this Legislature. We know it, and any of you who know anything about politics over there, you know it too. The first day you think you can get a majority, we will have an election, whether the Legislature is sitting or

whether we are dealing with anything. What we do here won't affect it.

I ask the minister whether or not there is either this clause or some other clause that would be acceptable to him and to the government in order to guarantee the fairness that we think has to be in any piece of legislation where the rights of people are being taken away.

**Mr. Nixon:** We have considered the amendment put forward by the hon. member. I have been particularly interested in his comments about the precedents undertaken by this House where a floor controlling the arbitrator has been a part of legislation in the past.

The big difference here and the difference which will not permit my colleagues and me to support it is that the situation has changed in this one particular, important degree.

**Mr. Wildman:** Minority government.

**Mr. Nixon:** We'll talk about that too—and that is, whatever the arbitrator finds, his finding is subject to the approval or the rejection of the Anti-Inflation Board at Ottawa.

**Mr. Deans:** That's what makes it positive; that is what makes it even more positive.

**Mr. Nixon:** It is quite clear that the purpose of this bill is not only to see that school is resumed on Monday, but also so that a pay settlement—it wouldn't be an agreement by arbitration—will be forthcoming. If we in this Legislature were to appoint an arbitrator—and I suppose we will soon know who it will be—with the powers to use his best judgement to see that a settlement is imposed on both sides and to leave it subject to the rulings of the Anti-Inflation Board, which in my view are very difficult to predict, then I consider we would be acting irresponsibly in this regard.

The interjection has come here, "Well, it's minority government that has frightened you people off." May I assure my hon. friend that my colleagues and I had come to the decision on that matter before the tremors came down through the cobwebs in this place, that the man smoking the cigar downstairs would consider this a matter of confidence and that was supposed to frighten us all into line. I'll tell you, that is frightening; it really is.

**Mr. Makarchuk:** It wasn't in the discussion yesterday, Bob. You were going to amend it yesterday.

**Mr. Nixon:** Oh pipe down.

**Mr. MacDonald:** Read yesterday's Hansard.

**Mr. Nixon:** But I would also say to you, Mr. Chairman, that if the man smoking the cigar thinks it would be a good issue to go to the province on this convoluted business, then that's a matter of bad judgment—

**Hon. Mr. Bernier:** It's very unkind to refer to "the man smoking the cigar;" it's like referring to "the third party."

**Hon. Mr. Kerr:** We cigar smokers object.

**Mr. Nixon:** —because surely the reasonable members of this House will see that while we are appointing an arbitrator in these circumstances, it is irresponsible for us to bind his hands in a way that he will not be able to do his job under the law of Canada.

Now we have an ambivalence here. My colleagues from Sarnia and from Wilson Heights have put before you, Mr. Chairman and the other members of the House, a strong contention, bolstered by the best legal opinion available—even better, I suppose, than some of the members of the front bench if that is possible—

**Mr. Bullbrook:** Better than the "Dear Jim" letter.

**Mr. Nixon:** —that the government has been acting illegally in giving this power to the Anti-Inflation Board of Canada. But whatever we think about it, they are the government and they have done so; and we are not in a position, since we have not been supported by the NDP in our efforts in the past, to have this changed.

**Mr. MacDonald:** You have changed your position since yesterday.

**Mr. Nixon:** It could have been changed. We would have had an election. If you wanted to have an election on this issue, you could have supported us.

**Mr. Reid:** You had your chance and you copped out.

**Mr. Bullbrook:** You copped out.

**Mr. Martel:** You wanted an election there.

**Mr. Chairman:** Order, please.

**Mr. Nixon:** Mr. Chairman, our view is that the amendment is irresponsible in the light of the facts of the Anti-Inflation Board that we must face, whether we like it or not—and we do not like it. We cannot support the amendment.

**Mr. Martel:** You need a lot more backbone.

Interjections.

**Mr. Renwick:** Mr. Chairman, I would like to deal with the two reasons—the one given by the Minister of Education (Mr. Wells) and the one given by the leader of the Liberal Party (Mr. Nixon) as to why this particular amendment cannot be accepted.

The Minister of Education, in his closing remarks on the second reading debate, gave as his reason, first of all that the offer of Dec. 20 had been withdrawn by the boards, and subsequent to its withdrawal had been rejected by two of the borough boards. He gave that as the distinguishing feature which distinguished this bill from the two previous bills. Since that last offer, in relation to what the minister has said, is not an offer which can be considered by the arbitrator, is the minister saying to us that the base under which the arbitrator will operate is the two-year collective agreement which, if my memory serves me correctly, expired on Aug. 31, 1975, and which had its origins on Sept. 1, 1973? Is that the base from which the arbitrator is going to operate?

If that's not the base, will the minister clarify whether or not the arbitrator is going to be able to take into account the last offer of the board, despite the fact that the minister said: "It is as if it were never made"; which I take to be the import and the intent of what the Minister of Education has said? I think that is extremely important.

And ancillary only to this particular amendment, but an equally important and extremely important clarification which the minister must give to the teachers in the province: What is the salary scale and under what agreement is it that the teachers will return on Monday to the schools in the Metropolitan secondary school system? I think that's got to be clarified. That's my first response to the minister's stated reason why this bill should be distinguished from the two preceding bills.

The Leader of the Opposition put a different proposition.

[1:00]

**Mr. Nixon:** No, he has not spoken on this yet.

**An hon. member:** He's not the opposition; not this year.

**Mr. Lewis:** I am about to speak.

**Mr. Renwick:** I'm sorry.

**Mr. Reid:** It's just part of your general confusion, Jim.

**Mr. Shore:** You will be all right.



**Mr. Reid:** You are consistent with your confusion, Jim.

**Mr. Nixon:** He is never very good before 5 o'clock.

**Mr. MacDonald:** It's just a compliment before he bows out.

**Mr. Reid:** That's Stephen Lewis on your right, Jim.

**Mr. Shore:** Jim Renwick, Stephen Lewis.

**Mr. Renwick:** Stephen, forgive me.

The leader of the Liberal Party stated as his exception, as the rationale why his party will not support this—I take from what he said that the arbitrator is to take into account what the AIB will do to this offer, because the government of Canada and the law of the government of Canada is what controls the decision of the arbitrator.

**Mr. Nixon:** No, if he is turned down by the AIB he has to return to them.

**Mr. Renwick:** The arbitrator doesn't have to return to anyone. Let me at least try to clarify it for the minister. I'm sure the minister is not confused, but confusion was interjected into this amendment by the leader of the Liberal Party.

**Mr. Shore:** I think he understands what arbitration is better than you do. You have been throwing the confusion in.

**Mr. Renwick:** The minister stated in his opening remarks that the second purpose—and I'm taking it as the second purpose, although he stated them together he agreed that the paramountcy was the opening of the schools. The second purpose was to achieve an equitable—

**Hon. Mr. Kerr:** He can hear you, go ahead.

**Mr. Deans:** It's the height of bad manners to talk to the minister.

**An hon. member:** He can listen.

**Hon. Mr. Wells:** I am listening.

**Mr. Chairman:** Order, please.

**Mr. Deans:** You don't take the time of a person who is supposed to be listening to the comments.

**Hon. Mr. Wells:** I am listening.

**Mr. Nixon:** You've got every right to speak but you have no responsibility otherwise.

**Mr. Renwick:** I'm not worried about you listening, Mr. Minister, I want you to understand.

Interjections.

**Mr. Chairman:** Order, please.

**Mr. Renwick:** The minister stated that the second objective of this bill was an equitable settlement between the boards and the teachers. The agreement which is to be decided by the arbitrator is the agreement between the boards and the teachers, it has nothing to do with what may happen subsequently before the Anti-Inflation Board, despite all of the reservations which anybody may have about what it's doing and what it's saying and the indefiniteness with which it imposes. I say to the minister categorically, and particularly to the leader of the Liberal Party, the obligation of the arbitrator as we understand it is to ignore the fact that an anti-inflation law was passed at Ottawa; to disregard it entirely and to negotiate the settlement as between the parties which will be equitable.

I say that, not in any dry-as-dust method of making a distinction which is a legalism, I say it for this reason: There will come a time, regardless of any change which is made in the decision of the arbitrator which the boards and the teachers may have to accept, and God knows nobody knows what that will be, there will come a time when it will be essential to the ongoing relationships of the Metro boards and of the teachers in the next series of negotiations, to know exactly what the agreement would have been in the absence of the anti-inflation guidelines.

Now that is essential. Otherwise there is going to be such a setback that the government will continue to exacerbate the relationship. It is essential that the minister state that the arbitrator's obligation is to make that kind of a settlement.

Now it has to be said categorically, it can't be just left up in the air. The arbitrator has got to know from this debate the meaning of the clause in the bill which directs him to make the settlement. He is entitled to have, and we are entitled to have, and the boards are entitled to have, and the teachers are entitled to have, a clear and unequivocal statement that the arbitrator in making his decision must disregard the decisions of the Anti-Inflation Board in Ottawa, even though the necessary consequence is that when the agreement is finally made the boards, as the employer, must take the agreement to Ottawa and make the best fist out of it that they can possibly make.

Now that distinction to us is essential, as well as the distinction which I made about the minister's reasons for not going along with our amendment. I would appreciate the minister's comments.

**Mr. Chairman:** The hon. member for Kitchener-Wilmot.

**Mr. Sweeney:** Despite the number of times we have tried to place it, our colleagues in the NDP continually seem to miss an extremely essential point. There are a number in this caucus who could be persuaded to see the justice of the point they are making about a floor. We can understand the point that they are making when they refer to the transit strike and when they refer to the York county strike. But, unfortunately, there is a fatal flaw in the entire argument, notwithstanding the argument that was just given, and which I understand, by the member for Riverdale. I heard it, I understand it. Notwithstanding that, the fatal flaw is this—and it is a fatal flaw that we were unfortunately unable to persuade them existed on Dec. 18, 1975. With respect to the transit strike, with respect to the York county strike, the government, backed by this Legislature, was able to enforce the floor which was put into those particular bills. In this particular case, the government, even with the backing of this Legislature, is not able to enforce any floor of any kind which is put into this bill.

**Mr. Wildman:** Are you going to move the amendment?

**Mr. Sweeney:** That is the essential factor that has to be considered. That is the factor which they still do not seem to have recognized as really the essential point of the amendment on Dec. 18, that this government—

**Mr. Wildman:** Well, move it now.

**Mr. Sweeney:** —this Legislature has given up its responsibility to enforce its own regulations, its own rulings, its own Acts.

**Mr. Nixon:** With the NDP supporting them.

**Mr. Sweeney:** They cannot do it; and we are going to have series after series after series of that.

**Mr. Wildman:** Then why vote for the bill?

**Mr. Sweeney:** We placed the party on this side of the House in jeopardy when we proposed that amendment. We knew we were doing so. But we also knew, down the line, the long-range consequences. We anticipated this very kind of situation; and we are going to face it again and again.

**Mr. Wildman:** You would still vote for this bill?

**Mr. Chairman:** The hon. member for Wentworth.

**Mr. Deans:** One word about it. First of all, the amendment voted on back in December, placed some time in October, had no bearing on this. The fact of the matter was that that did not involve any legislative direction. That was simply an opinion expressed to Her Honour, which may or may not have resulted in any change. What we are talking about is a situation that in fact exists. And we all agree that it is very likely—

**Mr. Nixon:** With your vote we have no power to change.

**Mr. Deans:** You had no power to change it in December, but what you can do now is at least indicate to the arbitrator and to the Anti-Inflation Board the lowest level the members of this Legislature think ought to be acceptable.

**Mr. Nixon:** How do you pay them?

**Mr. Deans:** I want to suggest to you that if there is any use at all in trying to be part of the decision, then the only way you can guarantee the Anti-Inflation Board will understand what the elected members of the Ontario Legislature feel is the lowest acceptable level is to put this in the bill.

If you are afraid to go on record as to what you think the lowest level is, then say so if that's the problem. If you are afraid to go on record publicly as saying you think there ought to be a floor level for any arbitrated settlement, then just say so. Don't hide behind the Anti-Inflation Board, that is not a problem.

**Mr. Shore:** If anybody is hiding, you are.

**Mr. Deans:** As my colleague has said, and to reinforce his point, there is no question that what we are trying to do is guarantee that the system will open in such a way as to ensure there will be fairness and the sense of fairness. This is the only way to do it. We can't make it stick; we know we can't. We know we can't guarantee that that will be paid. Were we the government we might be prepared to go and stand up on behalf of the settlement, but we are not. As members of the Legislature we are prepared to say that floor is the floor we think is a fair floor for any future arbitrated settlement in the province of this dispute.

**Mr. Ferris:** I rise to speak very briefly on one point. We will be opposing this motion.



With regard to the observations of the member for Riverdale (Mr. Renwick) I could not agree more with him in that I would hope, and I would certainly have every belief, that the arbitrator will be going in to look at a settlement which is a just settlement and not be concerned with what the AIB is likely to say about it, even though there is the reality that it must be taken there.

The part that perhaps bothers me a little bit—and I am sure it also bothers most of the members of the NDP with more experience in labour relations than I myself have—is that the arbitrator's decisions and the things he has to weigh are so numerous and such very difficult decisions that to put the constraining or the initial clause in here is just another factor that has to be taken into account and thought about constantly.

I believe there is a little bit of a side effect if you do it this way, if you let the arbitrator work with full flexibility. He also has some further pressure on him to bring in his report within the 30 days or shorter, because it is of much more significant consequence, rather than being delayed, as it probably would be if he requested it at a later point.

**Mr. Lewis:** I know the minister wants to say something. I have no doubt he will find the amendment unacceptable, although the amendment itself can be easily altered as long as the principle of a floor is expressed. It is a curious situation that has developed where so many members of the Legislature feel that in the name of equity some floor should be placed; but some people, some in the Liberal Party, find it impossible to support that position because ultimately the Anti-Inflation Board will rule so what the devil use is it anyway? That's the argument, that's the fatal flaw which is expressed.

It is a curious kind of abdication. We sense the same kind of futility you sense. I think we said it yesterday on second reading. I think many members of the Liberal Party said it. We go through this whole Byzantine procedure and ultimately it is all shovelled off to Jean-Luc Pepin.

[1:15]

But along the way, because it is our bill in this Legislature and we are speaking to its principles and its causes, we should, as my colleague from Wentworth said, state our position. I want to put to you that that's terribly important for the teachers in the educational system in Metropolitan Toronto. It may be that the Anti-Inflation Board will overrule, reverse or alter an arbitrated settlement, but it's very important for the arbitrator to know that we in the Legislature feel there

is a floor below which he or she should not descend.

Why is it important? It is important because these people have been negotiating in good faith for seven months or more, because Bill 100 has been complied with for seven months or more, because if you pass a piece of legislation and you defeat this amendment, therefore inviting the possibility of an arbitrator setting a level of settlement below that which the board has itself offered on some misguided assumption that the Anti-Inflation Board's ruling should be observed rather than the contacts during the negotiations, we are really inviting a fracas in the school system and for no earthly reason whatsoever.

It is not popular these days, God knows, to take a teacher's point of view; you risk your life. But the minister knows that nothing could be so unfair as to have an arbitration award which comes in below that which the boards from time to time have offered.

If we don't set some kind of minimum, in the name of equity, indicating to an arbitrator what we would wish that arbitrator to render his or her judgement against, then we have also given up, we are also taking an enormous risk in the system.

It's crazy. It is not the way the world works. You don't ultimately go through the whole process of collective bargaining only to savage it at the eleventh hour. It makes no sense at all and there is nothing unreasonable in the world in what we are saying.

We are not saying that what we do here denies the intervention of the Anti-Inflation Board. Of course it is going to happen anyway. What we are saying is that what we do here is a signal to the teachers and the boards. They bargained in good faith. We accept that. We assume they made good-faith offers and good-faith responses. We are saying to an arbitrator, "This is the position from which you must then decide," and afterwards it goes to Jean-Luc Pepin and that decision will be rendered.

I think the minister should think of that. I don't think there is any public opprobrium which will descend on your head if you can find a level, and if you say to us, "The last board offer is unrealistic because it has already been withdrawn," then we say to you, "Fair game. Suggest an alternative base."

I cannot remember—I have tried; I have even looked at the recent federal statute and the federal statute also contains a floor—I can't remember a bill of compulsory arbitration which doesn't contain some floor.

**Hon. B. Stephenson:** There are several.



Mr. Lewis: The signal given at the point of that compulsory arbitration bill was contained in the statement by the minister. You have just said we will leave it to the arbitrator.

All right, if that's your position and you are going to hold to it—and I understand the problem the Liberal Party has in supporting it—I hope for everyone's sake that the arbitrator, whoever he or she may be, comes down with some kind of settlement which exceeds what has been offered or mirrors what has been offered, even if it is later reversed; because if not, you will have a group of teachers on your hands so bitterly disillusioned about the process, and so rightfully disillusioned about the process, that they would be just to respond in anger.

They won't leave the schools and they won't quit teaching. You won't have another strike on your hands, but you will have a whole professional group shaking their heads in bewilderment that having at least conformed to the process even though nobody likes it, when it was all over we dealt them this final blow. In the name of equity, I am asking you to change your position even though I sense the futility of the request.

Mr. Nixon: Mr. Chairman, before the minister speaks, I felt that rather than leave what the hon. gentleman and the member for Riverdale (Mr. Renwick) have put on the record, I wanted to make this clarification that we are not supporting this because we are throwing up our hands and saying it's all going to be settled in Ottawa anyway.

I would hope that the arbitrator would look at the last proposal of the board—they say it's a proposal and not an offer and we've looked at those split hairs flying in the wind for what that means, but he would look at that.

I would agree with the comment that has been made that if the teachers had voted in favour of that proposal or offer, certainly it would have been accepted, whether or not the members of the board in Scarborough and North York and those other places, who felt that their chairman got out in front of them a little bit perhaps; whatever they would think, that would have been a settlement and an agreement. So the arbitrator will surely give a decision very close to the last board proposal or offer.

All I am saying is this: It then is transmitted to Ottawa for approval or disapproval. And I'll tell you, there is no way of predicting what they're going to do. You can say, well in Hamilton they accepted 23 per cent and so on. One can play that game, but there is no way of knowing what that board, in all

of its mystic powers, is going to do for the teachers or do to the teachers in this city.

If it is not accepted, the board might say: "All right, the arbitrator is recommending 24 per cent" or 23.08 per cent or whatever it happens to be and whoever's figures are being looked at; and they say, "We reject that." They may then say: "However, we will roll it back to 21.37 per cent and that will be okay." They may simply say: "We reject that." The mouth of the powerful board closes and where the devil are we then? How do you pay the teachers even after 30 days? What do you do with them then?

The only rational floor would, in my view, be an insult to include in this bill, and that is a 12 per cent floor which we know the Anti-Inflation Board would accept. I would never for a moment propose that as a floor because I consider that an insult and it would obviously be misunderstood by everybody.

So when the other members sort of dismiss the views that are taken by myself and my colleagues as simply buckling under to political pressure—that a sword is hanging over our heads and we don't want an election and all that stuff, all right—but I can assure them that our position has been entered into with what we consider to be responsible thought that we are going to have an arbitrator who is going to have great powers under the bill for two years—and we want to talk about that a bit later. He has, by a decision of this House, been given the power to arbitrate this settlement. The only reason we are not in favour of a floor, whether it is one the other members suggest or some other one—and really there is only one other one, what else are you going to pick? Stanley Hartt!

We never hear of him any more, you know. He's gone, with half the treasury; he's gone back to Montreal.

We don't know where else to look. For us to say, "Ah yes, it should be 23.08 per cent"; that's ridiculous, because we have not been taking part in the negotiations. Sure we've been talking to the teachers' professional representatives, the members of the school board and lots of people who phone in, but that doesn't mean that just because we're members of the Legislature we ought to say, "Arbitrator, that's what your decision should be."

We are saying to the arbitrator that much as we dislike doing it this way, in order to get the schools open we must do it this way. Here is this cloud, much larger than a man's hand, hanging over Ottawa, with lightning bolts that can strike right down here with a decision backed by the authority of the Parlia-



ment of Canada; and for us to set up an arbitrator who cannot accommodate himself to that would be irresponsible.

We can go on with the argument; I have nothing more to say about it. But I don't want it to go on the record that we take that position simply because we throw up our hands and say, "It's all in Ottawa so there's nothing we can do."

**Mr. Deans:** When the leader of the third party says that we cannot decide on an amount, that didn't inhibit us back in 1974. We decided an amount in the TTC strike—

**Mr. Nixon:** There wasn't an Anti-Inflation Board.

**Mr. Deans:** There was.

**Mr. Lewis:** You come back to that again and again.

**Mr. Sweeney:** This province could enforce it.

**An hon. member:** There was no Anti-Inflation Board.

**Mr. Deans:** No, but the Anti-Inflation Board is irrelevant.

**Mr. Sweeney:** Not that section of it.

**Mr. Deans:** Now, if it's a matter of deciding, the leader—

**Mr. Nixon:** It is for the first proposal.

**Mr. Deans:** The leader of the third party says just what should we decide? Should we decide 12 per cent, should we decide 23.2 per cent? I tell him that in 1974 we decided twice on a floor level, now what—

**Mr. Nixon:** Well you're dismissing the Anti-Inflation Board and it's here whether you say it is or not.

**Mr. Deans:** I am dismissing it because in fact the Anti-Inflation Board does not, should not and cannot come into play until after the arbitration process has been completed.

**Mr. Nixon:** That's right and if they knock it down you have got to go back to them, and under your amendment they couldn't go back.

**Mr. Deans:** The situation as we see it is this, that since we chose as members of the Legislature—

**Mr. Evans:** Do you want to start over again?

**Mr. Deans:** No, I am going to wait until the Minister of Labour (Hon. B. Stephenson) is finished. I get tired of it.

Since we chose as members of the Legislature in 1974 to set levels, and we deemed it appropriate to do that then, and the arbitrator was then charged with the responsibility of deciding on his or her final decision with regard to the matter, we think it equally appropriate that the arbitrator in this case should have the same guidance in order to come to his or her final decision on this matter.

Ultimately, of course, it must go to the AIB, but let me tell you something, even in those other arbitrations there was the possibility, remote though it may be, that the arbitration could have been taken to the courts. It has happened previously, it will probably happen again, and there is no question that there was yet another step which could have been taken even in those arbitrations, though it is infrequently taken by anyone, and that was never taken into account by the leader of the third party at that time. Guidance from the Legislature is necessary.

**Mr. Shore:** Mr. Chairman, as we have all known, this is a very complex situation and issue. Our party, and I for one and many others, have come to a decision after giving thought to various reasons and rationales. There is not just one reason as to why you come to a decision. The Anti-Inflation Board has been one of these items. Certainly it's not the only item. Our leader has elucidated on that a little bit, but I want to make it clear that it's just one item. I for one, for example, place just as great an importance on the issue that this is complex, it's serious and the more simple form of bringing these teachers back to work and getting the schools open, and having faith in the compulsory arbitration process, is the better way.

We get into debate in this House, and the Leader of the Opposition (Mr. Lewis) has said himself, "Well, if you don't like that particular one, choose another one." We have not been party to the negotiation. We know it's a serious issue. It's not going to overcome itself overnight. Whether or not we do something here today will also add to the complexities. I think we are far smarter to say to ourselves, "Let's get the schools open, support this legislation, and get on with the job and have faith in compulsory arbitration." For varying reasons we are supporting that, not just because of the Anti-Inflation Board.

**Mr. Foulds:** I think we have come to the nub of it in the second last sentence of the

last speaker, "Have faith in compulsory arbitration."

I think the debate for the last day and a half has been over that very point. It was the purpose of this party's reasoned amendment, and it is the purpose of this party in this amendment, to achieve the third objective that the minister failed to mention in his speech should be achieved in this legislation, and which I spoke about last night. That third objective must be, has to be, the rebuilding and the rehabilitation of the Metropolitan school system, and any effort that this party can make toward that end, we will make.

**Mr. Shore:** Your motion won't help you.

**Mr. Foulds:** Let me tell you, Mr. Chairman, you do not send teachers back to the classrooms with no assurance whatsoever of any kind that they will not be receiving some improvement on an agreement that they signed two years ago.

**Mr. Sweeney:** You can't give them that assurance.

**Mr. Foulds:** You had your chance to speak and I didn't interrupt you.

**Mr. Evans:** Oh no?

**Mr. Foulds:** No, I raise to you, Mr. Chairman, the Liberal Party and the government argue that different circumstances prevailed in the Toronto Transit Commission dispute and in the York county dispute, but as I recall—and I could be corrected—one of the reasons given by the minister for including the floor and the schedule in the legislation in the York county dispute was because the board itself was threatening to withdraw that offer. So the arguments that the minister put in his speech do not apply.

[1:30]

What we are hoping to achieve—and it is obvious from the speeches of the other two parties that we will fail in this clause—is to have the teachers and the students go back to the classrooms with some confidence that they will continue to have in those classrooms teachers attracted to the profession of high quality and calibre. If we have an arbitrator who, as the Liberal Party indicates, is going to prejudge the situation and take into account the reality of the Anti-Inflation Board and, therefore, bring in a low settlement in the hope that it will be accepted we will fail because the teachers will begin to leave teaching altogether and in the Metropolitan Toronto system in particular. That seems to me

to have very serious, tragic and sad consequences.

I plead with this Legislature that anything that we can do to assure a base level which will give the confidence to the membership of the federation to return to school in a least a somewhat less bruised frame of mind, we should do so.

**Mr. Ziemba:** Having listened to this debate over the last day and a half, I was particularly struck by the minister's summing up around noon today with the declaration that we must rebuild respect, confidence and goodwill. He went on to say that it is necessary for the quality of education to continue in Metropolitan Toronto and this is what we have got to do. That was his declaration.

Being a Metro member and representing a riding that is blessed with two of Toronto's largest secondary schools—Western Technical School and Humberside Collegiate—having approximately 3,000 of the 140,000 students in my riding, having a telephone that begins ringing at 6:30 a.m. and continues ringing non-stop all day in between conversations and talking to worried students, talking to worried teachers and talking to worried parents, I certainly have to agree with the minister. We must rebuild respect, confidence and goodwill and it is necessary for the quality of education to continue in Metropolitan Toronto. I certainly agree that this is what we're got to do.

How are we going to do that? Are we going to do that by ordering the teachers back to work on Monday morning at 9 o'clock? Can you begin to share the teachers' feelings on Monday morning? These are teachers who have taken a public clobbering almost from day one of this strike with the media hostility building every day, shielded by the newspaper editorials, to the point where yesterday our national newspaper, the Globe and Mail, featured a front-page picture showing students wearing T-shirts with anti-teacher slogans that were being sold at some schools. In fact, they were being sold right here on the Legislature steps. What a sad day? The teachers were down and now the boots are being put to them, ground boots as my colleague—he's left now—my colleague from Sudbury has described them.

The member for Armourdale (Mr. Givens) played to the press gallery last night. He is the member whom I remember from the days when he served as an alderman and then the mayor of Toronto. I remember him as a warm, compassionate man sensitive to the feelings of minority groups. This good man—and I believe he is a good man—couldn't resist heaping



abuse on the teachers in a most red-necked manner. Can you imagine teacher morale at this point? Could not a floor, a base below which an arbitrator would not go, be the olive branch—that legislative gesture which, extended to the teachers of Metropolitan Toronto, could somehow return some confidence and some self-respect to these men and women who have served our communities so well over the years?

This strike has not affected all the members of this House as much as it has affected the 29 Metro members. I don't expect the members for Rainy River (Mr. Reid) or Sarnia (Mr. Bullbrook) to have the same regard for Metro Toronto teachers as the Metro members have. However, to these members let me say that voting for a floor or base is not a sign of weakness; it's not a sign of giving in to the teachers. I would ask the members opposite and the members to my left to reconsider their position. They may find themselves in the same position that we Metro members are in today.

**Mr. Warner:** Mr. Chairman, after listening to the Liberal arguments I'm convinced that we should continue with the discussion of this bill until tomorrow, because at that point we'll see another reversal and get support for our amendment. Several Liberal members yesterday spoke in favour of supplying some form of equity. However, either those members or their constructive thoughts are missing today.

I would like to relate to the minister some thoughts which perhaps relate to calls he has received. We heard yesterday about all the phone calls that members have received. Many of those I've pursued to some length. The callers for the most part were concerned that the schools be opened, that education continue and that the teachers be "back on the job." I said: "Yes, I share your concern about the schools opening." I asked them under what conditions. They weren't too sure. Then I, at that point, explained many options which I felt the government had.

One which I suggested was—and I'm quoting at this point my exact conversation with those callers: "The government does have the opportunity to legislate teachers back to work under compulsory arbitration at 1974 wages. I don't think it would do that." The caller said: "Of course not. That wouldn't be fair." That is an exact quote from several people I spoke to: "Of course not. We would not expect our government to do that. That would not be fair." I then, in some naiveté obviously, dismissed it as well. "No, your government would not be that unfair," I said. "They would provide some form of remuneration

above 1974 wages. They would provide some relief, particularly to that classroom teacher who is earning \$7,800 a year and, after a long strike, faces serious financial problems."

I do not wish to prolong the debate any longer, because the sides are drawn up very plainly, with the government opinion and its right-wing support over here. But the fairness is gone, and with it the respect of the teachers certainly, and some of the respect of the community from which the minister garnered support in the last election.

**Hon. Mr. Wells:** Mr. Chairman, I must say I cannot accept the amendment. I think the position of the government in this matter was put very clearly in my concluding remarks. I certainly agree with the sentiments expressed a few minutes ago by some of the hon. members and which I expressed in my remarks. We've got to rebuild a sense of respect and a harmonious relationship in the classrooms in this metropolitan area.

We are suggesting that it be done by a very speedy arbitration process, by a competent arbitrator who I am sure will take into account all the various positions, the data, the fact-finder's report, the various positions and offers that have been put forward and will arrive at, based on these and other positions put before him, a very fair and equitable settlement. I have the confidence that he will do that. I do not believe that the arbitrator in this case should be an advocate or a proselyte of the Anti-Inflation Board. He has got to consider the matters before him and bring down a fair and equitable settlement for this matter. I think that this can be done speedily and in a very quick manner without the kind of amendment that my friends have suggested.

To say that, as the member for Scarborough-Ellesmere has said, that they are being legislated back at 1974 wages is really only half the statement. Of course, that is what they will be paid when they return to the classrooms on Monday. But once the arbitration decision has been rendered, the award will be retroactive to Sept. 1, 1974. The bill makes that very clear. It will apply for those days that those teachers worked up to and including the time when the arbitration award was rendered.

**Mr. Warner:** That is little comfort on Monday.

**Hon. Mr. Wells:** I have full confidence that this can handle it in a very equitable manner—

**Mr. Nixon:** They get paid after they work a month, don't they?

**Hon. Mr. Wells:** —and we cannot accept the amendment put forward by the opposition party.

**Mr. Renwick:** Mr. Chairman, I have one unrelated remark to make on this section of the bill. The minister, when we met before our caucus on Wednesday, indicated that he might, during the course of the hearings, be able to announce the name of the arbitrator. Has that been settled as yet?

**Hon. Mr. Wells:** We are still working on that. I hope to be able to announce it some time later today. But I cannot announce the name right at this point in time.

**Mr. Foulds:** It is not Eddie Goodman?

**Hon. Mr. Wells:** No, it is not.

Interjection.

**Hon. Mr. Wells:** No. It is not—I am sure to the member's sorrow—David Lewis, either.

**Mr. Lewis:** It is not, to my sorrow. He wouldn't touch it. He could have taken your coals out of the fire four weeks ago. But not today.

**Mr. Chairman:** Order, please.

Mr. Deans has moved two amendments to subsection 4 and subsection 5 of section 3 of the bill.

All those in favour of Mr. Deans' amendments will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

**Mr. Deans:** We'll stack this one, Mr. Chairman.

**Mr. Chairman:** Any other comments?

**Mr. Deans:** On section 4, Mr. Chairman.

**Mr. Chairman:** The hon. member for Wentworth on section 4, subsection 1.

**Mr. Deans:** Thank you, Mr. Chairman. We have given a great deal of thought—

**Mr. Ferris:** Are we not taking turns?

**Mr. Deans:** Yes, we take turns. You come after me.

**Mr. Ferris:** You had the last one.

**Mr. Bullbrook:** Don't sit down.

**Mr. Deans:** I don't intend to.

**Mr. Bullbrook:** On the other hand, sit down.

On section 4:

**Mr. Deans:** I wish you would make up your mind—typical Liberal position.

We had thought of moving an amendment to reduce the term from two years to one year, and rethinking the matter we decided that it's best that the clause not appear in the bill at all. The arbitrator, given the arguments placed before him, should be able to decide on the merits, both of that which should be imposed and also the term for which it should be decided.

We would suggest clearly that it ought not to exceed two years; that it would be more desirable that it be one year, given the economic conditions of the country and the province and the instability that we face—the unpredictable nature of the year 1976-1977. Therefore, the minister should consider simply deleting the clause dealing with two years and allowing the arbitrator to hear the arguments and to put forward his suggestion as to whether one or two years would be most acceptable to the parties, and then to come to a decision on the basis of that—rather than on the basis of the direction of the Legislature.

**Mr. Chairman:** Mr. Ferris moved that section 4, subsection 1 of the bill be amended by deleting after the word "expiring" in line six the word "on" and inserting in its place the words "on a date not later than."

**Mr. Lewis:** It is exactly the same thing.  
[1:45]

**Mr. Ferris:** Very briefly, just to explain, it is consistent with leaving the full power of decision to the arbitrator that if, in his wisdom as he looks at it, he wished to have a one-year settlement or a two-year settlement, that is his option and it is not bound to a two-year term; it's up to two years.

**Mr. Renwick:** Mr. Chairman, I would like to make just one comment. I was struck by what I believe to be a significant remark made by either mediator Adams or mediator Hartt—I am not certain which one it was—where one of the mediators simply stated in the press, and not as a part of these proceedings or any of the negotiations, that he thought that less than a two-year agreement, because the last offer was a one-year agreement, in a sense would require the Anti-Inflation Board to take a fresh look at it and not be affected by the off-the-cuff decision that was made earlier on the first offer, and that it was kind of important that the new agreement be divorced as far as possible from



the situation which obtained when the original presentation was made to the board.

I know it is difficult now to separate the collective agreement only on its terms from Jean-Luc Pepin or to insulate it from him, but it does seem to me, if there was validity in the comment that was made by the mediator, that at least that point should be drawn to the arbitrator's attention when he is considering the period of the agreement.

The second point is that, to the extent of the second-year part of a two-year parcel, it seems to me that there is relatively grave danger in leaving that part of it subject to the whims—if I may use that term—of the Anti-Inflation Board.

I would therefore hope that either the amendment proposed by the member for London South or the decision to vote against the section and eliminate it entirely, would be acceptable to the ministry and perhaps we could avoid an argument about it.

**Mr. Nixon:** Mr. Chairman, I want to speak very briefly on the amendment. There was something that the minister said in his closing comments on second reading which struck my attention. He said it is quite possible, during the seven days provided in the bill, for both the board and the teachers to indicate to the arbitrator those matters which are still in dispute; it is quite possible that a settlement could be reached at that time. If that were so and if this amendment were accepted by the minister, it would be very convenient if the arbitrator could then say, "Fine, in fact, we have a negotiated settlement and my usefulness is at an end." It may be that his usefulness, even under those circumstances, would not be at an end. I would think that he, at his decision, hearing from the teachers and the board, could decide whether his powers might be used until the date that is in the bill—that is, for a two-year term. I believe very strongly that the decision should be in the hands of the arbitrator who would, of course, hear the arguments from the board and from the teachers as to the term required.

I am also very much aware of the fact that although this bill in fact gives a means of completion of the negotiations that have been going on for many months, that notice undoubtedly will be served by the representatives of the teachers of Metropolitan Toronto within a few days of their requirement that negotiations for the next year begin. There is a feeling that we don't want to throw the thing back into a circumstance identical to what it was before, but the amendment put forward by my colleague from London South leaves this at the disposition of the arbitrator

who can hear the points made from both sides, and I think in this way it faithfully and with some sensitivity serves the needs of both sides. I hope the minister will accept it.

**Mr. Renwick:** Mr. Chairman, I have one other comment and I believe this is the appropriate place to ask the question of the minister. In one of the original statements in this connection by the Prime Minister of Canada or, if not that, in the opening statement introducing Bill C-73, there was a statement that the Anti-Inflation Board would have public sector panels to that board and that the Province of Ontario would be invited to make appointments to the public sector panels. I would like to know the state of that particular arrangement.

**Hon. Mr. Wells:** Yes, Mr. Chairman, that is exactly right and I think my friend asked that a few days ago. I pursued it. I am told that they have not been appointed yet. There still is the intention to appoint them. The problem that has arisen, as I understand, is that there has to be agreement on the personnel on these panels among the provinces and this hasn't been arrived at yet. We are pushing for the appointment of these panels. There are two situations that I am given to understand will be undertaken. One is that there will be a public sector panel of the overall Anti-Inflation Board and they hope to have some arrangement of some kind of sub-panel within the Province of Ontario for handling Province of Ontario matters that will, to an even greater degree probably, involve public sector people. We have put forward proposals on both of those.

**Mr. Renwick:** You proposed names?

**Hon. Mr. Wells:** Yes, we proposed names that would be representative particularly of those people who feel that their segment of the public sector should be understood.

**Mr. Deans:** Just one point, there is one thing that worries me and it is not a matter that you can write into the bill. It worries me that if it were a two-year settlement then they would take the entire agreement to the AIB, which would then make a decision on both years of that settlement. I would think that fairness and assurance that all of the factors that, in fact, were taken into account would necessitate that the boards should take the settlement to the AIB in two stages, to show the settlement for the year 1975-1976 and have a ruling on that, and then at some subsequent time take the settlement for the year 1976-1977 and have a ruling on that in

the light of settlements being decided upon for that particular year.

I may be very crazy and not thinking too clearly, but I can imagine that in looking at the first year of the settlement, if both years were before the AIB, they would be taking the total settlement into account and would be judging the first year as much on what was coming later as they would be on its merit. So without thinking of how to amend it, because I am not too keen to do that, I would like to urge from here to whoever listens that the settlement go to the AIB, if it goes at all, year by year rather than both years to be heard simultaneously.

**Hon. Mr. Wells:** Mr. Chairman, I have listened to the various propositions and arguments put forward about this section. I think I indicated very clearly why I felt the two-year settlement would be desirable. I think there is some merit in not getting into another protracted round of negotiations immediately in order that the kind of climate that has to be re-established, and which I am confident can be, will have a chance to take effect and perhaps by having a two-year contract this could be accomplished in a much better manner.

I think I also pointed out in the concluding remarks on second reading that the parties were actually negotiating for a two-year contract up until the involvement of the three mediators and the process that took place just before Christmas. However, I am also aware that we do want to provide a great deal of flexibility for the arbitrator and we do not want to limit him if he can come up with some innovative way that we might not have thought of in handling this dispute. I think the remarks made by my colleague about perhaps making two presentations to the AIB may be another innovative proposal that may be considered. I would have great hesitation in taking this section out, because I do again want to make it very clear—I do not believe it has to be here, but again I want to make very clear to everyone that this contract is to begin Sept. 1, 1975, and that whatever is done will begin back then. Having stated that point, that is my reason for not wanting to take the section out. Therefore, I would be prepared to accept the amendment which I think gives a degree of flexibility to the administrator.

**Mr. Chairman:** All those in favour of Mr. Ferris's amendment.

**Mr. Foulds:** Just before that, can I put a question that perhaps the minister might ask his officials? Does this legislation supersede

the general legislation of Bill 100? What I'm thinking of is, is it possible with this amendment for the arbitrator to bring in an 18-month contract, i.e., one that would end on Dec. 31? The officials nod yes, that's fine.

**Mr. Sweeney:** The amendment says "not later than."

**Mr. Foulds:** Then it supersedes that particular section of the bill.

**Hon. Mr. Wells:** I think the answer to that is yes.

**Mr. Foulds:** Fine.

Motion agreed to.

Section 4, as amended, agreed to.

**Mr. Chairman:** Any further comment on any other section of Bill 1? We have two amendments that are stacked. I guess we'll have to call in the members.

**Mr. Deans:** One amendment.

**Mr. Nixon:** There is just one amendment.

**Mr. Chairman:** There are two amendments; subsection 4 and subsection 5 of section 3.

**Mr. Renwick:** One is related to the other.

**Mr. Deans:** Well, one vote.

**Hon. Mr. Wells:** One vote and take it twice.

**Mr. Chairman:** Shall we call in the members?

**Hon. Mr. Wells:** Five or 10 minutes.

**Mr. Chairman:** Ten minutes, yes.

**Hon. Mr. Wells:** Ten after 2.

**Mr. Chairman:** Is that agreed? We will call the vote at 2:10.

[2:00]

The committee divided on Mr. Deans' amendments to subsections 4 and 5 of section 3, which were negatived on the following vote:

**Clerk of the House:** Mr. Chairman, the "ayes" are 31, the "nays" are 75.

**Mr. Chairman:** I declare the amendments lost.

Section 3 agreed to.

Bill 1, as amended, reported.

**Hon. Mr. Welch** moved that the committee rise and report.



Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill with amendment and asks for leave to sit again.

Report agreed to.

## METROPOLITAN TORONTO BOARDS OF EDUCATION AND TEACHERS DISPUTES ACT

Hon. Mr. Wells moved third reading of Bill 1, An Act respecting the Metropolitan Toronto Boards of Education and Teachers Disputes.

**Mr. Lewis:** Mr. Speaker, I understand the time is late. I want to take only a couple of minutes to say something on third reading.

We intend to oppose third reading, obviously, consistently as we did on second, but again, obviously, since it is recorded in the annals of the House, not to divide the House. Some may feel that that's an uncomfortable position to occupy. It's obvious that in parts, in places, it's unpopular and awkward and given to misinterpretation, but whatever the temporary perils, I am glad we have taken the position that we did during the course of this bill and intend to pursue it.

I am equally glad on behalf of my caucus that the schools are opening on Monday. There were—

**An hon. member:** We were always in favour of that.

Interjections.

**Mr. Speaker:** Order, please. Order, order.

**An hon. member:** Can't you read?

Interjections.

**Mr. Lewis:** It can take as long as members wish it. There were implications, not so much here. The Minister of Education I must say, Mr. Speaker, was entirely fair in his response this morning when he said exactly what I have said now, that it was clear that all three parties in the Legislature wanted the schools to reopen. What was at issue was the method. I think I can—

**Mr. Reid:** It is a long, long road.

**Mr. Speaker:** Order, please.

**Mr. MacDonald:** Do you disagree with your minister?

**Mr. Speaker:** Give the hon. Leader of the Opposition an opportunity to make his remarks.

**Mr. MacDonald:** Bill Hodgson, do you disagree with your minister?

**Mr. Speaker:** Order, please. Order.

**Mr. Renwick:** They weren't in the House, that's the problem.

**Mr. MacDonald:** They haven't even heard the debate.

**Mr. Lewis:** I would say I have the time.

The minister indicated, I think fairly what the position was and where the area of difference existed. Look, I will agree with those who have raised some interjections—for us to take a position in support of a back-to-work principle is a terribly difficult wrench and I conceded it to them willingly. For the members of our caucus to support the proposition that the teachers must, as a matter of law, return to the schools on Monday is a very difficult wrench, and it was not easy to incorporate it in our reasoned amendment but it was there and it was clear, and having put it, we believe in it.

We could not at the same time, and I can put this very simply to you, Mr. Speaker, bring ourselves to the additional position of supporting compulsory arbitration and I want to say to the Legislature that that wasn't something purely because of some doctrinaire or dogmatic conviction or because of alleged lobbying by teacher groups—not a single one of which put any such proposition to us—but for two quite different reasons and very briefly I want to put them to the House. One was because we felt—and this may be of no value to the government—that there had to be some alternative emerge to compulsory arbitration as the ending of strikes, and as a matter of fact we think that that debate is a legitimate part of the process of the changing views on labour disputes.

Just as this Legislature has changed its view in a number of ways in the procedures that were embodied in Bill 100, just as I remember Donald Deacon once standing in this Legislature and putting at that time an idea which I found totally offensive and now only partially offensive—the idea of final offer selection as a new ingredient in the settle-

ment of them—we felt that if society is questioning the whole rationale for strikes and the use of strikes in the public sector or elsewhere, it was legitimate to look at the means by which strikes were terminated, and we offered in good faith an alternative, clearly unacceptable to the members of this House but to us an alternative that seemed to make sense.

[2:30]

I think we've touched on something that in the long run—and how do I know? I think in the long run—will prove better than compulsory arbitration, because compulsory arbitration has never ended the repetition of the strike weapon. I think we may have touched on something that's better than compulsory arbitration when we look at the number of teacher disputes which we may at some point be recalled to deal with in a similar fashion. That, very simply, was the first reason which involved our caucus.

The second reason, and I'll tie it up, was we felt that it was worth the try for the sake of the consequences within the schools. I know that we've all played gratuitous homage to the proposition that the schools are in difficulty, and it's a God-awful situation out there in Metropolitan Toronto. The teachers feel under siege and the parents are angry and the students are beleaguered, but there are no words, really, in which to put the situation. It seemed to us that if it was humanly possible to resolve it by collective bargaining rather than by an imposition, that would serve the system much better.

I agree, I concede, having heard the hon. Minister of Education today, that the collective bargaining settlement would have been terribly difficult, he is right. The evidence he gave is consistent with that. But I think it might have been possible, and with the intervention of the Premier (Mr. Davis) I feel certain it might have been possible. If it wasn't, I admit we're back here in February or March, and there are other alternatives. But I want to point out that this bill passes and we go back into the schools with compulsory arbitration on Monday with all the feelings that that adds to the present teacher anxiety.

I want to remind you, Mr. Speaker, that never in this province have we seen such anti-teacher feeling, not just on the front page of the *Globe and Mail* but even expressed feelingly and deeply by members of this Legislature. If it's that deep in the minds of members of this Legislature, what's it like outside? In that context I want to read just

one excerpt, because I think it's appropriate. The finest document I saw through this entire, unhappy dispute emerged from the pen of the chairman of the Toronto Board of Education, Gordon Cressy, who put eloquently and, I thought, often movingly, a position which is worth just reading as this dispute comes to an end. He said:

Frankly, I am sick and tired of the abuse that is directed at our teachers day after day at this time. This abuse is based, it seems to me, on ignorance, bitterness and childish truculence. The media have a responsibility to report the news and to offer constructive comment on current issues, comment designed to help the people involved and the public at large achieve a wise resolution.

The sort of sneering invective which some commentators have dished up during the strike represents a failure to fulfil that responsibility. It is nothing less than poison, and if it is not designed to be destructive, it's certainly having that effect. These commentators may delight in their ability to stir the public to contempt for teachers. I suppose they realize, because if they don't they are fools, that this vilification of teachers is bound to rub off on students.

These commentators and members of the public who share their views may enjoy the spectacle of proud teachers reduced to bewilderment and demoralization. They should bear in mind that when this strike ends, these teachers will be back in the classroom responsible for every young person in this city.

I would have wished we could send them back by law under better circumstances. I only hope that somehow, with compulsory arbitration, the government is going to be able to salvage the harmony which the Minister of Education put so well this morning. Frankly, I doubt it.

**Hon. Mr. Davis:** Mr. Speaker, I don't recall in the history of this House and in my limited involvement in it that I have ever spoken on third reading. However, after listening to the Leader of the Opposition—and I have some understanding and I will not use the word "sympathy" for the position that he has found himself in in the past two or three days—I would only say to him that I listened attentively to his observations. I will not be controversial, except to make one or two, I think, very valid observations.

It is great, on third reading, to express concern about the students at the same time as



he has opposed a bill that will put the schools back to work—and the records of this House will indicate this very clearly.

Interjections.

**Hon. Mr. Davis:** It is great for him to say to the members of his caucus—

**Mr. Renwick:** You know you are wrong.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** —and the members of the public how tough it is for him to rationalize his party's positions, as though it wasn't difficult for members in this party or in the Liberal Party to deal with these complicated issues.

**Mr. Lewis:** That is a brutally political response, and we will deal with it.

**Mr. Renwick:** We will deal with it, don't worry.

**Mr. Speaker:** Order, please. Order.

**Hon. Mr. Davis:** Mr. Speaker, at least the members on this side of the House have on their conscience the fact that they were consistent; they didn't have these convoluted arguments and discussions that we have been listening to.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** There is one area that I will share with the Leader of the Opposition on third reading, and it's one where I guess I have greater optimism than he does. I want to repeat what I said on second reading about the Minister of Education of this province (Mr. Wells) and the moderation that he has shown—and he has had reason to be provoked; believe it or not, the Premier on occasion has reason to be provoked by the teaching profession—

**Mr. Lewis:** He has been very much less than you have.

**Hon. Mr. Davis:** I have never attacked the quality of the teachers of this province. I have three kids being educated by the Peel board, where presently they may strike, and I say this: They are good teachers—

**Mr. Lewis:** Some legislators have.

**Hon. Mr. Davis:** They are good teachers, and if the members opposite think they are coming down on the side of being the only ones concerned about the quality of education

or how this system functions in Metro, they have another thought coming to them.

**Mr. Lewis:** Is that what concerns you?

**Hon. Mr. Davis:** This government is concerned about the school system; and we are anxious to see this function well on Monday and thereafter. I will tell the member something else: I have enough confidence in the teachers of this province to say that I believe it will function well starting Monday, and the children will be the beneficiaries as a result.

**Mr. Speaker:** The motion is for third reading of Bill 1.

Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion the "ayes" have it.

I declare the motion carried.

Motion agreed to; third reading of the bill.

**Hon. Mr. Rhodes:** Mr. Speaker, I would request the consent of the House to revert to the introduction of bills.

**Mr. Speaker:** Do we have unanimous consent to revert to the introduction of bills?

Motion agreed to.

**Mr. Lewis:** Mr. Speaker, on a point of order. This may be quite unorthodox, but the House will not mind it. I am afraid that members will leave during the course of this short debate on the rent review regulations, and I wanted to call attention—I think everyone will share it—to the fact that yet again, for the final occasion, the leader of the Liberal Party is in the House on his last occasion as leader unless the House is brought back again—

**Mr. Nixon:** Who knows? Who knows?

**Mr. Lewis:** Let me tell you, Mr. Speaker, this time as last time, he is the best leader they have; I have no doubt.

**Mr. R. S. Smith:** Best in the House too.

**Mr. Lewis:** I just wanted to say, without intending to provoke this extraordinary display of adulation and reverence, that I hope his last nine days will be spectacularly tranquil.

**Mr. Drea:** That's the nicest stab in the back there has been.

**Mr. Speaker:** Introduction of bills.

## RESIDENTIAL PREMISES RENT REVIEW AMENDMENT ACT

Hon. Mr. Rhodes moved first reading of bill intituled, An Act to amend the Residential Premises Rent Review Act, 1975.

Motion agreed to; first reading of the bill.

**Hon. Mr. Rhodes:** Mr. Speaker, just very briefly, the proposed amendments to the Act will extend various time limits in the Act for applications by landlords or tenants for rent review, for rebate of rent, and for advising parties of the date and place of hearings.

The amendments also provide that a decision of the rent review officer or the rent review board will remain in force for 12 months.

The amendments arise out of our experience with the Act since its passage on Dec. 18, and will, we believe, answer the concerns that have been expressed over the time limits, and facilitate the administration of the Act for all parties concerned.

## RESIDENTIAL PREMISES RENT REVIEW AMENDMENT ACT

Hon. Mr. Rhodes moved second reading of Bill 2, An Act to amend the Residential Premises Rent Review Act, 1975.

**Mr. Cassidy:** The procedure is rather unusual, because the bill is only just in members' hands. But, in fact, it has been exchanged between the parties over the last couple of days, and we have agreed with the government to allow the bill to go forward without putting it into committee and with only a few brief comments—which I have been told to limit to five minutes and no more.

**Hon. Mr. Kerr:** You have taken two already.

**Mr. Cassidy:** I have taken two already. Mr. Speaker, the bill would not be necessary if the government had proceeded with dispatch in order to set up the administration for rent review. Perhaps it is a reflection of the ambivalence that they had about the rent review process that they have been so slow and therefore have necessitated the introduction of this bill.

I would just say briefly that the Conservative government's reputation for managerial competence has got to be laid to rest with the introduction of Bill 2, and the extension of these particular time limits.

I would point out to you, Mr. Speaker, that Bill 20 received second reading on Nov. 20, 1975. At that time, it was very clear to the government that it would need to have offices across the province, it would need to hire rent review officers, and it would need to have its people in place in time for administration by the various time limits that were set out in the original bill.

That was not done, however. The bill was passed on Dec. 18, and it was not until Christmas week that the first advertisements appeared. The government decided to hire people from outside rather than seconding its own staff to fill the administrative posts that were required temporarily until the rent review process was in place.

It wasn't until today, 16 days after the beginning of January, that the ministry has begun to even advertise for rent review officers. They will not be in place, therefore, until after the first of February, and God knows when they will be trained.

This is not a competent way of proceeding, and that's why these extensions are needed. They should not have been required. When we come back in March, I think the ministry should defend the dilatory way in which they have put this together.

I want to comment briefly on some of the problems that we predicted would come to pass, and that are being experienced under the bill—and which we will also see and discuss in March.

There is a great deal of intimidation by landlords. A number of landlords have refused to accept cheques from tenants for the legal rent. Many landlords are threatening eviction—although that is illegal. There is a tremendous need by tenants and by landlords for accurate information and advice.

I would say that every time I hear somebody from the ministry or a landlord-tenant advisory bureau giving advice about the bill, it seems that they always make at least one rather grave and serious mistake. And that shortcoming in information is also caused by the ministry's delays in getting this bill under way.

We predicted that there would be serious problems because of the government's failure to provide for enforcement of the bill by rent review officers. I suggest that failure of the government will return to haunt us in the coming months—although it is too early to judge.

**Mr. Eaton:** Three minutes are up.

**Mr. Cassidy:** We have refrained from an all-out attack on the way the government has



been administering this bill up until now, because given the timetable that they took and given the fact that some information is available—such as the rent review book—it seemed the sensible thing to withhold judgement until everything is in place. If it had not been for this debate, I would not have even made these comments. We will have more to say about the shortcomings in administration in March.

[2:45]

The shortcomings of the government don't change our opinion of the bill as a whole. It is not, by itself, a monster, as some columnists have maintained. If it turns out to be an administrative nightmare it will have been because of the mismanagement of the government and not because of the bill itself.

On the bill itself, I wanted to say that while we have agreed to allow it to go forward without debate or discussion on specific clauses we would not be in favour of the first clause, which permits a further month's appeal on rent increases in 1975. We felt that was a wrong section to bring in. It was a wrong amendment to the bill introduced by the government and, therefore, had we the time we would have opposed that particular section in committee, since we didn't agree with it in the first place.

The need to extend deadlines for rent appeals related to the early parts of 1976 has become inevitable, given the ministry's delays in establishing the rent review administration. We questioned the extension from 10 to 30 days in the time that the rent review officers are being given to set a time and place for a rent hearing after an appeal by a landlord. I understand that will be needed at the initial points because of the flood of appeals. However, we would hope that the ministry could bring that down to 15 or 20 days after the initial months of the bill's operation.

I would like to say some more things, but I will postpone those until a later date. I would say, finally, that we welcome the ministry's decision to amend the bill so that decisions of the rent officer will be effective for at least 12 months. I don't know whether this amendment can be called technical or not, but the NDP can claim some credit for the second part of section 2, subsection 1.

One of the major problems we're finding from tenant calls was split leases and short leases in which tenants were being told that their rent was going up by eight per cent now and they faced the prospect of another rent increase in August. This amendment doesn't satisfy our objection that landlords should be able to make only one rent increase in any

12-month period, but it goes part way by permitting a tenant to force the landlord to launch an appeal, the decision from which will be effective for a year, and thereby it increases the tenant's bargaining power. We welcome that particular change and thank the government for the co-operative spirit in which it asked whether there were any technical amendments, so-called, that we might be able to put forward. With those comments, we subside for the time being.

**Mr. Drea:** That was 6½ minutes.

**Mr. Cassidy:** That's pretty good for me.

**Mr. Good:** Mr. Speaker, I have a few short remarks. First, we recognize the need for the extension of time limits in the bill due to the fact that the organization did not go forward as rapidly as it should have, probably because of the Christmas and New Year's period.

I would like to draw briefly to the attention of the House the fact that one whole week was lost in dealing with this bill. It was referred to the select committee to hear public delegations for one week and to deal with it clause by clause the second week, and we were to report this bill back to the House completed by Dec. 12. Instead, for some unknown reason the Conservatives and the NDP conspired to bring the bill back into this House so that it would not be dealt with in committee. The second week, then, was practically wasted and instead of having 11 sessions on the bill, as we would have in committee, we dealt with it in only three sessions—Wednesday afternoon, Thursday afternoon and Thursday evening in the week of Dec. 10 and 11. So the NDP and the Conservatives must jointly share the responsibility for this bill not getting through as quickly as it should have, or would have if we had left it in committee.

**Mr. Cassidy:** We were protecting the bill against Liberal obstructionism.

**Mr. Good:** That is really what has precipitated the extensions necessary in this bill.

**Hon. Mr. Davis:** It is really all your fault.

**Mr. Cassidy:** You may be right.

**Mrs. Campbell:** You wanted closure.

**Mr. Good:** Furthermore, let me add that because of their conspiracy no public input was allowed into the clause-by-clause discussions of this bill.

**Mr. McClellan:** Developers are still shedding tears.

**Mr. Good:** We support the extensions. We think it's fair that the extensions cover all the dates that are indicated in the bill. We would throw the whole procedure out of kilter if we accepted the idea that the NDP said we should, to grant extensions for the tenant appeals but not for the landlord appeals and refunds. I think that is ridiculous.

**Mr. Cassidy:** We didn't say that.

**Mr. Good:** I do have one concern. Section 2 of the bill says where the determination of rent is made pursuant to applications under certain sections of the bill, the rent so determined shall remain in force for a period of not less than 12 months. We agree with that but I think it should be clarified that the 12 months is from the date of the tenancy agreement and not from the date of the decision of the rent review officers. If that point can be clarified in my mind, we have no further objections to the amendments proposed.

**Hon. Mr. Rhodes:** Very briefly, first of all, the reason the bill is here before the House is the fact that we do recognize that we have had difficulty in having the structures set up properly to administer the bill. I think even the hon. member speaking on behalf of the New Democratic Party recognizes that if the dates weren't changed, we were making it virtually impossible for people to comply with the requirements of the Act.

**Mr. Cassidy:** That's right—right now, yes.

**Hon. Mr. Rhodes:** As for the delays that have taken place, I am not going to suggest that we were not partially responsible for some of the delays, but I think all three parties in the House share part of the reason for the delays. Why was the advertising not started sooner? Why were we not setting up our structures sooner? Quite frankly, if the bill could have gone ahead as it was originally introduced, it probably would have been possible to have the structures in place.

To deal with the many amendments and the changes that were made in the bill required us to change the location of a great many of the offices that we had originally contemplated, increase their number and increase the number of staff that would be required to handle the bill, because of the additions that were made that would be covered by this bill. All I'm saying is that it is all well and good to look around for somebody to blame for it but I think we all share in this part of the responsibility in

the delay of having the bill passed in the House.

All that aside, I think what is most important is that we make the bill workable. I agree with the hon. member that it is not necessarily a monster, but it is well on the way to becoming that if we don't make these necessary amendments—

**Mr. Reid:** It's a bit of a Frankenstein's monster.

**Hon. Mr. Rhodes:** —and get the thing so it can be adhered to by both parties, the tenants and the landlords. With respect to the section that the hon. member referred to, section 2, subsection 1, the draftsmen of the legislation, the legal officers, indicate that this is exactly what is in the bill. It is for a 12-month period and it will be for the 12-month period that the tenant is occupying the premises. If the review of the rents takes place part way through the tenancy agreement, then it is retroactive to the beginning and is kept in force for 12 months. It goes back to the beginning of the tenancy agreement and is in effect for 12 months.

There is just no question about that. I discussed it just before introduction of the bill with the legal officers and they say there is no question but that is what is intended. I think it was fully understood by the members of the New Democratic Party when we discussed it with them.

**Mr. Cassidy:** Would the minister permit one question?

**Hon. Mr. Rhodes:** Yes.

**Mr. Cassidy:** There have been statements that developers' groups have been consulted about regulations but not tenants' groups. Could the minister comment on that and make a commitment that if there are further consultations on regulations both tenants' groups as well as landlords groups' will be consulted?

**Hon. Mr. Rhodes:** I am not aware who may have been consulted in the developing of the regulations. I'll certainly discuss it with the officials because we want regulations to be in effect that will do the job well and do it equitably for all parties involved.

**Mr. Cassidy:** So you will consult both, if either?

**Hon. Mr. Rhodes:** I'll discuss that matter with the officials.

Motion agreed to; second reading of the bill.



**Mr. Speaker:** Shall the bill be ordered for third reading?

Agreed.

### THIRD READING

The following bill was given third reading upon motion:

Bill 2, An Act to amend the Residential Premises Rent Review Act, 1975.

**Hon. Mr. Welch:** Mr. Speaker, the Premier (Mr. Davis) will go to escort the Lieutenant Governor. In view of the fact that the audience was a bit limited when she arrived to open the session, I hope that most of us could remain at least for prorogation.

### ROYAL ASSENT

**Hon. P. M. McGibbon** (Lieutenant Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 1, An Act respecting the Metropolitan Boards of Education and Teachers Disputes.

Bill 2, An Act to amend the Residential Premises Rent Review Act, 1975.

**Clerk of the House:** In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

The Honourable the Lieutenant Governor was then pleased to deliver the following gracious speech:

### PROROGATION SPEECH

**Hon. Mrs. McGibbon:** Mr. Speaker, and members of the Legislative assembly of Ontario:

It is now my duty to prorogue the second session of the 30th Parliament of Ontario, during which you have passed legislation to settle the dispute between the Ontario Secondary School Teachers Federation and the Metropolitan Toronto School Boards.

In our Sovereign's name, I thank you.

**Hon. Mr. Welch:** Mr. Speaker and hon. members of the legislative assembly, it is the will and pleasure of the Honourable the Lieutenant Governor that this legislative assembly be prorogued and the legislative assembly is accordingly prorogued.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

The House prorogued at 3:02 o'clock, p.m.

## SPEAKERS IN THIS ISSUE

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Bain, R. (Timiskaming NDP)  
Bernier, Hon. L., Natural Resources (Kenora PC)  
Birch, Hon. M., Provincial Secretary for Social Development (Scarborough East PC)  
Bullbrook, J. E. (Sarnia L)  
Bryden, M. (Beaches-Woodbine NDP)  
Campbell, M. (St. George L)  
Cassidy, M. (Ottawa Centre NDP)  
Davis, Hon. W. G., Premier (Brampton PC)  
Deans, I. (Wentworth NDP)  
Drea, F. (Scarborough Centre PC)  
Eaton, R. G. (Middlesex PC)  
Evans, D. A. (Simcoe Centre PC)  
Ferris, J. P. (London South L)  
Foulds, J. F. (Port Arthur NDP)  
Givens, P. G. (Armourdale L)  
Godfrey, C. (Durham West NDP)  
Good, E. R. (Waterloo North L)  
Handleman, Hon. S. B., Consumer and Commercial Relations (Carleton PC)  
Jones, T. (Mississauga North PC)  
Kennedy, R. D. (Mississauga South PC)  
Kerr, Hon. G. A., Environment (Burlington South PC)  
Kerrio, V. (Niagara Falls L)  
Laughren, F. (Nickel Belt NDP)  
Lewis, S., Leader of the Opposition (Scarborough West NDP)  
MacDonald, D. C. (York South NDP)  
Mackenzie, R. (Hamilton East NDP)  
Makarchuk, M. (Brantford NDP)  
Martel, E. W. (Sudbury East NDP)  
McClellan, R. (Bellwoods NDP)  
Moffatt, D. (Durham East NDP)  
Newman, Hon. W., Agriculture and Food (Durham North PC)  
Nixon, R. F. (Brant-Oxford-Norfolk L)  
Reid, T. P. (Rainy River L)  
Renwick, J. A. (Riverdale NDP)  
Rhodes, Hon. J. R., Housing (Sault Ste. Marie PC)  
Riddell, J. (Huron-Middlesex L)  
Ruston, R. F. (Essex North L)  
Shore, M. (London North L)  
Singer, V. M. (Wilson Heights L)  
Smith, R. S. (Nipissing L)  
Smith, S. (Hamilton West L)  
Snow, Hon. J. W., Transportation and Communications (Oakville PC)  
Spence, J. P. (Kent-Elgin L)  
Stephenson, Hon. B., Labour (York Mills PC)  
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Stong, A. (York Centre L)  
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Taylor, Hon. J. A., Community and Social Services (Prince Edward-Lennox PC)  
Warner, D. (Scarborough-Ellesmere NDP)  
Welch, Hon. R., Culture and Recreation (Brock PC)  
Wells, Hon. T. L., Education (Scarborough North PC)  
Wildman, B. (Algoma NDP)  
Ziemba, E. (High Park-Swansea NDP)



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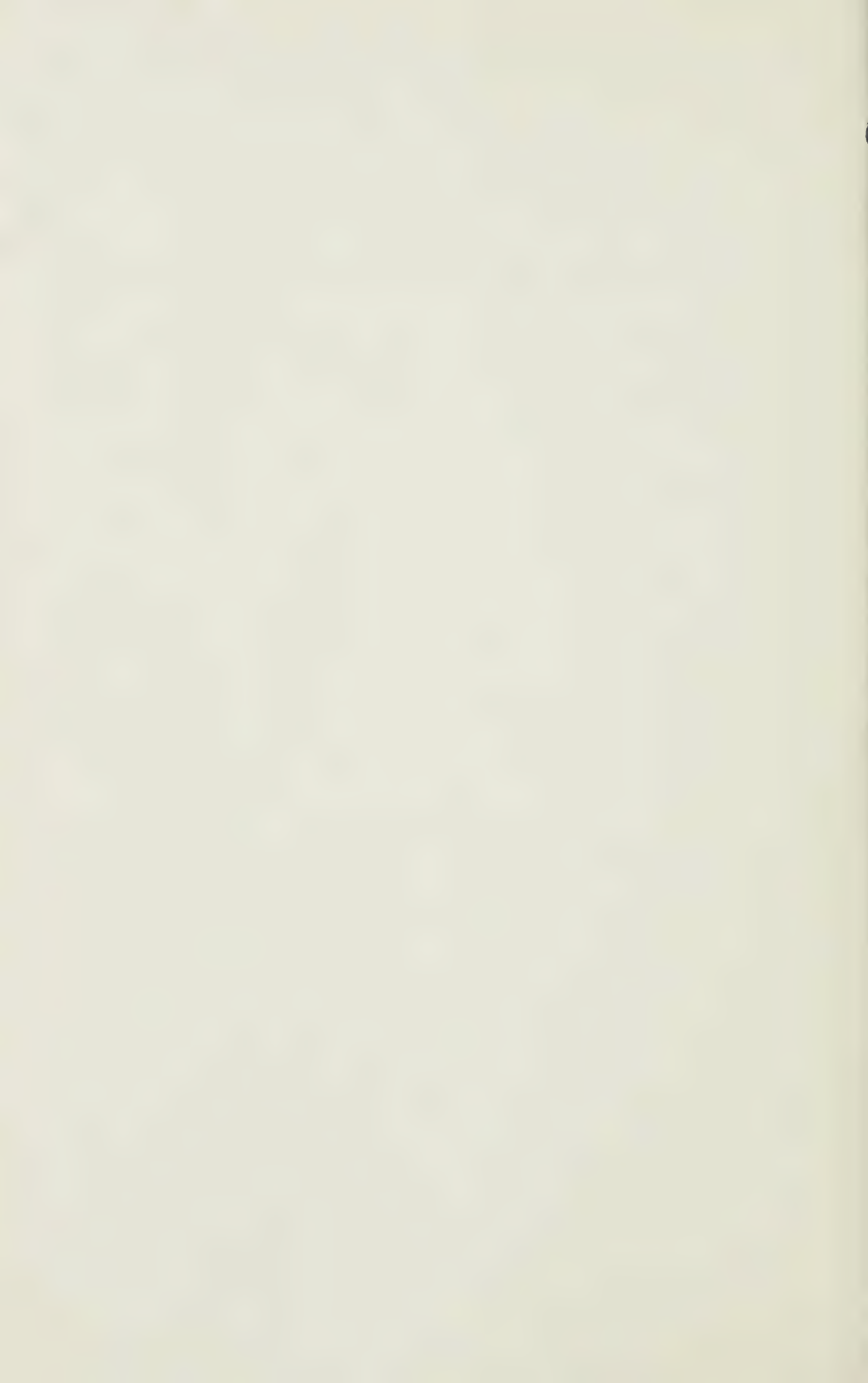
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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

---

Tuesday, March 9, 1976

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

THE QUEEN'S PRINTER  
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1976



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An alphabetical list of members of the Legislature of Ontario, together with lists of members of the Executive Council and Parliamentary Assistants, appears as an appendix at the back of this issue.

Daily contents of proceedings also appears at the back of this issue. Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff. Phone 965-2159.



## LEGISLATURE OF ONTARIO

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Tuesday, March 9, 1976, being the first day of the third session of the 30th Parliament of the Province of Ontario for the despatch of business pursuant to a proclamation of the Honourable P. M. McGibbon, Lieutenant Governor of the province.

TUESDAY, MARCH 9, 1976

The House met at 3 p.m.

The Honourable the Lieutenant Governor, having entered the House and being seated upon the throne, was pleased to open the session with the following gracious speech.

### SPEECH FROM THE THRONE

**Hon. P. M. McGibbon** (Lieutenant Governor): Pray be seated.

Mr. Speaker and members of the Legislative Assembly of Ontario:

Au nom de notre souveraine, je vous souhaite la bienvenue à l'ouverture de la troisième session de la trentième Législature de l'Ontario.

I welcome you, in our Sovereign's name, to the opening of the third session of the 30th Parliament of Ontario.

This Legislature is called into session at a time of optimism about Ontario's ability to maintain the quality of life of its citizens and a time of careful evaluation of the opportunities open to the province. Our province today faces some critical economic realities. The economic vitality and protection of its people require, as never before, a capacity to make choices and set priorities. In recognizing this, the government of Ontario has supported and will continue to play its full role in the national anti-inflation programme, as part of its greater commitment to protect the well-being of millions of citizens.

My government has no illusions about the capacity of the national anti-inflation programme to perform without flaw or inequity. Continuing discussions relating to appeal procedures and the general performance of the Anti-Inflation Board will be pursued throughout the spring. Profit restrictions and wage limitations imposed on the public should be reflected in similar limitations on government spending at all levels.

For its part, Ontario will continue to curtail its costs and to reorder its priorities in the provincial and national interest, in the hope that other governments and the private

sector will be encouraged in the battle against inflation.

Such restraint will allow consolidation and security of essential services in Ontario. We now enjoy one of the finest and most complete social service systems in the world. To maintain and preserve what Ontarians have worked to achieve in this field, it is necessary to streamline government programmes regularly to prune out redundancies or waste that might arise.

The province's financial commitment to health, education, social and municipal programmes will not be reduced. The 1976 Ontario budget to be introduced by the Treasurer on April 6 will indicate that the province will be spending more on all these services than ever before. Needed constraints are being applied in certain areas so that essential services may continue to be provided with adequate funds and, where necessary, be permitted to expand.

We must face the fact that government spending at all levels is a major cause of inflation. It is a time for the government, for the Legislature, for agencies receiving public funds and for the people to reassess programmes and define priorities in terms of needs rather than wants.

This year, the increase in provincial funds transferred to the municipal sector will be eight per cent over the amount transferred last year. Municipalities and school boards will be responsible for ordering their priorities, with a view to an acceptable municipal tax load, municipal services and local needs.

The challenge in the years ahead will be to preserve the quality of the social and material environment that has been created. My government believes this can best be done by maintaining a healthy climate for free enterprise which, in turn, will provide the capital investment and the new job opportunities that are needed. Employment security is the only real income security a free society can afford for the vast majority of its citizens.

By limiting government activity to essential services, vital capital and manpower will

be available for a more productive and buoyant economy. Unnecessary expansion of colleges, universities, schools, hospitals and other major capital projects will be curtailed wherever possible. Highway construction not yet commenced will be limited to the most essential work.

[3:15]

A strong economy will require the co-operation of labour and the private sector to protect our standard of living, employment levels and international competitiveness. Specific foreign trade initiatives, aimed at exporting complete large-scale development projects, will be pursued through overseas trade programmes with a view to generating jobs in Ontario.

There are few problems more urgent than dispute resolution in the labour relations field. The Ministry of Labour will intensify its examination of the collective bargaining process with the aim of recommending substantive changes to reduce the incidence of industrial conflict.

Legislation will be introduced to provide that public funds which are not spent because of strikes by school board employees will be returned to the public through reduction of local taxes.

My government is aware of its responsibility to ensure that those who are in genuine need receive social assistance. On the other hand, those who have alternatives to assistance must utilize them to contribute to their own well-being. People who have opportunities for employment, whether part-time, seasonal or full-time, will be required to take advantage of those options and, in fact, seek them. A system will also be initiated to provide recipients of financial assistance more active help in locating employment.

The government believes that universal accessibility for all citizens of Ontario to an efficient and technologically superior health care system is a critical priority for the taxpayer. The Ministry of Health will, therefore, concentrate on improving the provincial health system to maintain the highest levels of health care while at the same time making it as cost-effective as possible. Savings will be achieved, affecting three to four per cent of the total present hospital service capacity in the province by reducing the total number of beds, and by amalgamation of services among hospitals in the same area.

There will be no reduction in nursing home beds. The budget for ambulance programmes and research will be maintained with no reduction. Community health programmes

for children and adults, public health units and home care programmes will continue to receive strong support. Occupational health services will receive top priority.

My government gives the assurance that all essential health care needs of the people of this province will be met. It must be emphasized that the constraints being implemented are cost-effective measures. The overall results will allow health resources to be used more effectively for the benefit of all who need them.

The long-term security of Ontario depends in great measure on the protection of our agricultural production. To this end, in support of an overall effort to achieve a national plan for the farming community, provincial legislation will be introduced to establish a voluntary farm income stabilization plan.

To strengthen consumer price measurement and assist in the overall assessment of the national anti-inflation programme, the role of the Ontario Food Council will be expanded in its research and public information functions.

Stricter meat inspection and improved livestock and poultry protection will be enforced.

Ontario will seek reciprocal safeguards for agricultural products in negotiations with the government of Canada prior to the international discussions on the General Agreement on Tariffs and Trade. As well, marketing activities in overseas trade missions will be promoted through the Ontario Food Council.

You will be asked to support development goals for increased productivity of agricultural lands, and the use of less productive land wherever possible for more housing units.

The government will propose changes to the Mining Tax Act which, by altering the tax treatment of exploration expenses, will make exploration as attractive in years of low metal prices as in boom times. Exploration activity is vital to the mining industry, which has been a stable contributor to the economy of northern Ontario for more than 30 years and has maintained an employment level of 50,000 people.

The government will seek the support of the House for a programme of legislation to improve the administration of justice in Ontario. The judiciary will be expanded to meet the backlog of cases in all levels of courts. A Blind Persons' Rights Act will entrench in law, rights for blind members of the community. Reforms in estates law will include revisions concerning the rights of children and spouses in property matters.



A New Home Warranties Act will make provision for registration of home builders and administration of a warranty plan to protect home buyers from builder defaults and poor workmanship.

A study of the rise in alcohol-related driving offences, particularly by young people, is now under way and will be complete during this session. Based on information received through public forums and expert advice, a series of initiatives will be proposed to respond to this problem. The overall question of highway safety, accident prevention and driver education will be referred to a select committee of the Legislature for preparation of legislative recommendations to the assembly.

The prospect of energy supply shortages and price increases is a continuing concern. The government will maintain its policy of protecting the consuming public and industrial users in Ontario from energy shortages, while making every effort, short of subsidization, to cushion the effects of higher energy prices. It is my government's intention to represent strongly the interests of the consuming public and the industrial sector of Ontario in discussions with the federal government and other provinces.

A programme to upgrade insulation and energy conservation features in public buildings will be initiated in provincial buildings, hospitals and educational facilities. New buildings will be subject to higher thermal performance standards. This will establish a base for co-operation with the private sector to stimulate further energy savings.

The capacity of Ontario's economy to grow through the vitality of the private sector must be protected. This will generate the wealth that is necessary to ensure economic opportunity and employment security for all Ontarians, while maintaining government services in the fields of justice, health and education, and social programmes.

My government seeks the support of all members of the Legislature in guiding Ontario evenly through challenging economic times. Responsible, purposeful and limited government, aimed at increasing productivity, achieving economic stability and avoiding economic risks or hardship for the individual citizen, is the key to a brighter, secure and more promising future for all citizens of Ontario.

Honourable members, as you begin this new session, I wish you well in carrying out these and other important and demand-

ing duties in the service of Ontario and its people.

God bless the Queen and Canada.

The Honourable the Lieutenant Governor was then pleased to retire from the chamber.

Prayers.

**Mr. Speaker:** I beg to inform the House that in order to avoid mistakes, I have obtained a copy of Her Honour's speech, which I shall now read.

(Reading dispensed with.)

#### ARBITRATIONS AMENDMENT ACT

Hon. Mr. McMurtry moved first reading of bill intituled, An Act to amend the Arbitrations Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Welch moved that the speech of the Honourable the Lieutenant Governor to this House be taken into consideration on Thursday next.

Motion agreed to.

#### NEW LIBERAL PARTY LEADER

**Hon. Mr. Davis:** Mr. Speaker, before moving the adjournment of the House, I wonder if I might beg the indulgence of the House and our guests here today to take a moment to welcome in his capacity as Leader of the Liberal Party of Ontario, the member for Hamilton West (Mr. S. Smith). [3:30]

Mr. Speaker, as did many of us, I had the opportunity of observing the convention of his party. I hope it was not overshadowed by interesting conventions since that time. I was greatly impressed by that assembly and the remarkable lack of rancour not only between candidates but insofar as my own government was concerned.

I must say that the winning margin in the 40-vote range should not be discouraging to the new Liberal leader. I can vouch for how meaningful that range of margin is and how important 44 votes can be in that sort of circumstance.

I believe that the Liberal Party in Ontario—or the Liberal Party of Ontario, whichever the case may turn out to be and it won't be easy to make that decision—was immensely well served, I say this seriously, and the deliberations there were a credit to our democratic system in this province.

In wishing the new leader well and much longevity in his new responsibilities, I wonder if I might as well pay tribute, once again most sincerely, to his two caucus colleagues, the member for London Centre (Mr. Peterson), and the member for Ottawa East (Mr. Roy), who acquitted themselves, in my view, with great distinction during the convention.

We do have the pleasure of welcoming Liberal leaders with some frequency in this House and it is always a pleasure for us to do so. I, for one, am hopeful that the new leader will enjoy his role as leader of that party for a good many years and attain the ultimate success of becoming Leader of the Opposition of this province, a position now enjoyed, perhaps even cherished, by the present member for Scarborough West (Mr. Lewis).

In all seriousness, my colleagues, all of us, join in wishing the new leader well and in expressing the hope that he does find the job satisfying. We are looking forward to working him—with him—for a strong—

**Hon. Mr. Welch:** There is more truth to that than what he meant!

**Hon. Mr. Davis:** My colleague says there is more truth to that than what I meant to say—with him for a strong, prosperous and happy Ontario for many years yet to come.

**Mr. Lewis:** One never makes such slips when addressing Dr. Smith. May I join in, Mr. Speaker, on behalf of the New Democratic Party in this spontaneous if momentary burst of adoration for the new Liberal leader and his excellent colleagues who did participate in a superlative leadership convention, which all of us watched, rapt and riveted, through the entire weekend proceedings.

May I say to the new Liberal leader that I hope his leadership is more secure than hospitals in Liberal ridings. I hope, too, that he has an opportunity to enjoy his psychiatric gifts, given the infinite pathology which encircles him. May I say finally, above all, to the Liberal leader, as the member for Hamilton West, I hope that he can withstand the withering intellectual profundity of the member for Hamilton Mountain (Mr. J. R. Smith).

**Mr. S. Smith:** May I be permitted, Mr. Speaker, to thank, very much, the Premier and the Leader of the Opposition for their very kind remarks, which I know have been meant very sincerely and in excellent spirit

and respect for the democratic process. I want to assure you, sir, and this House that I intend to exercise my responsibilities as party leader in the best way that I know how and that all of us in the Liberal Party shall be dedicated to making this government work, to making this Legislature fulfill its obligations, and we hope to be entirely positive. I trust that I shall have the benefit over the next little while of making a reasonable contribution in my new post.

I wonder if I might be permitted to take a moment just to pay a brief tribute to the gentleman sitting to my left, whom I replaced in this role as party leader. I hope that I shall be able to carry out my role with the dignity, the intelligence and the devotion that he has shown for so many years. I consider it a great privilege that he is sitting beside me to be an adviser and a great help in the difficult times ahead.

Once again, Mr. Speaker, my thanks to the Premier, the Leader of the Opposition and to the hon. members for their encouragement.

#### POINT OF PRIVILEGE

**Mr. Deans:** Mr. Speaker, I rise on a point of personal privilege. It is unusual to do so on opening day, but I feel it necessary to do it today because of reports in the press that I had the opportunity to hear over last evening. Last evening there were reports in the press attributed to the member for Hamilton Mountain, the hon. Minister of Correctional Services (Mr. J. R. Smith), and I have had the opportunity since to read his speech. I want to exercise my prerogative on behalf of my constituents to appeal to you to require the member for Hamilton Mountain to withdraw those portions of his speech which refer to the sanity of the members of the constituencies surrounding his.

I am most concerned that in politics we have reached a new low, where politicians choose to attack the electorate rather than to attack the policies of those people who represent them. I would ask that you, sir, take into account the fact that this member has overstepped his bounds and take some appropriate action.

**Mr. Speaker:** I have not had the opportunity—order please—to study the matter to which the hon. member refers. I shall take it under advisement.



**Mr. Deans:** Mr. Speaker, I think you should remove the embarrassment.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Mr. Speaker, before this continues and before I am prompted into recalling some observations made by some members opposite that were, in my humble opinion, far more embarrassing and deroga-

tory than ever uttered by the member for Hamilton Mountain, I move the adjournment of the House.

Hon. Mr. Davis moved the adjournment of the House.

Motion agreed to.

The House adjourned at 3:40 p.m.

## APPENDIX

ALPHABETICAL LIST OF MEMBERS OF THE  
LEGISLATURE OF ONTARIO

(125 members)

Third Session of the 30th Parliament

Speaker: Hon. Russell Daniel Rowe

Clerk of the House: Roderick Lewis, QC

Member	Constituency	Party
Angus, I. ....	Fort William .....	NDP
Auld, Hon. J.A.C. ....	Leeds .....	PC
Bain, R. ....	Timiskaming .....	NDP
Belanger, J. A. ....	Prescott and Russell .....	PC
Bennett, Hon. C. ....	Ottawa South .....	PC
Bernier, Hon. L. ....	Kenora .....	PC
Birch, Hon. M. ....	Scarborough East .....	PC
Bounsall, E. J. ....	Windsor-Sandwich .....	NDP
Breaugh, M. ....	Oshawa .....	NDP
Breithaupt, J. R. ....	Kitchener .....	L
Brunelle, Hon. R. ....	Cochrane North .....	PC
Bullbrook, J. E. ....	Sarnia .....	L
Burr, F. A. ....	Windsor-Riverside .....	NDP
Bryden, M. ....	Beaches-Woodbine .....	NDP
Campbell, M. ....	St. George .....	L
Cassidy, M. ....	Ottawa Centre .....	NDP
Conway, S. ....	Renfrew North .....	L
Cunningham, E. ....	Wentworth North .....	L
Davidson, M. ....	Cambridge .....	NDP
Davis, Hon. W. G. ....	Brampton .....	PC
Davison, M. ....	Hamilton Centre .....	NDP
Deans, I. ....	Wentworth .....	NDP
di Santo, O. ....	Downsview .....	NDP
Drea, F. ....	Scarborough Centre .....	PC
Dukszta, J. ....	Parkdale .....	NDP
Eakins, J. ....	Victoria-Haliburton .....	L
Eaton, R. G. ....	Middlesex .....	PC
Edighoffer, H. ....	Perth .....	L
Evans, D. A. ....	Simcoe Centre .....	PC
Ferrier, W. ....	Cochrane South .....	NDP
Ferris, J. P. ....	London South .....	L
Foulds, J. F. ....	Port Arthur .....	NDP
Gaunt, M. ....	Huron-Bruce .....	L
Germa, M. C. ....	Sudbury .....	NDP
Gigantes, E. ....	Carleton East .....	NDP
Givens, P. G. ....	Armourdale .....	L
Godfrey, C. ....	Durham West .....	NDP
Good, E.R. ....	Waterloo North .....	L
Grande, A. ....	Oakwood .....	NDP
Gregory, M. E. C. ....	Mississauga East .....	PC
Grossman, L. ....	St. Andrew-St. Patrick .....	PC
Haggerty, R. ....	Erie .....	L
Hall, R. ....	Lincoln .....	L
Handleman, Hon. S. B. ....	Carleton .....	PC



Member	Constituency	Party
Henderson, Hon. L. C. ....	Lambton .....	PC
Hodgson, W. ....	York North .....	PC
Irvine, Hon. D. R. ....	Carleton-Grenville .....	PC
Johnson, J. ....	Wellington-Dufferin-Peel .....	PC
Johnston, R. M. ....	St. Catharines .....	PC
Jones, T. ....	Mississauga North .....	PC
Kennedy, R. D. ....	Mississauga South .....	PC
Kerr, Hon. G. A. ....	Burlington South .....	PC
Kerrio, V. ....	Niagara Falls .....	L
Lane, J. ....	Algoma-Manitoulin .....	PC
Laughren, F. ....	Nickel Belt .....	NDP
Lawlor, P. D. ....	Lakeshore .....	NDP
Leluk, N.G. ....	York West .....	PC
Lewis, S. ....	Scarborough West .....	NDP
Lupusella, A. ....	Dovercourt .....	NDP
MacBeth, Hon. J. P. ....	Humber .....	PC
MacDonald, D. C. ....	York South .....	NDP
Mackenzie, R. ....	Hamilton East .....	NDP
Maeck, L. ....	Parry Sound .....	PC
Makarchuk, M. ....	Brantford .....	NDP
Mancini, R. ....	Essex South .....	L
Martel, E. W. ....	Sudbury East .....	NDP
McCague, G. ....	Dufferin-Simcoe .....	PC
McClellan, R. ....	Bellwoods .....	NDP
McEwen, J. E. ....	Frontenac-Addington .....	L
McKeough, Hon. W. D. ....	Chatham-Kent .....	PC
McKessock, R. ....	Grey .....	L
McMurtry, Hon. R. ....	Eglinton .....	PC
McNeil, R. K. ....	Elgin .....	PC
Meen, Hon. A. K. ....	York East .....	PC
Miller, Hon. F. S. ....	Muskoka .....	PC
Miller, G. I. ....	Haldimand-Norfolk .....	L
Moffatt, D. ....	Durham East .....	NDP
Morrow, D. H. ....	Ottawa West .....	PC
Newman, B. ....	Windsor-Walkerville .....	L
Newman, Hon. W. ....	Durham North .....	PC
Nixon, R. F. ....	Brant-Oxford-Norfolk .....	L
Norton, K. ....	Kingston and the Islands .....	PC
O'Neil, H. ....	Quinte .....	L
Parrott, Hon. H. C. ....	Oxford .....	PC
Peterson, D. ....	London Centre .....	L
Philip, E. ....	Etobicoke .....	NDP
Reed, J. ....	Halton-Burlington .....	L
Reid, T. P. ....	Rainy River .....	L
Renwick, J. A. ....	Riverdale .....	NDP
Rhodes, Hon. J. R. ....	Sault Ste. Marie .....	PC
Riddell, J. ....	Huron-Middlesex .....	L
Rollins, C. T. ....	Hastings-Peterborough .....	PC
Rowe, Hon. R. D. ....	Northumberland .....	PC
Roy, A. J. ....	Ottawa East .....	L
Ruston, R. F. ....	Essex North .....	L
Samis, G. ....	Cornwall .....	NDP
Sandeman, G. ....	Peterborough .....	NDP

Member	Constituency	Party
Sargent, E. ....	Grey-Bruce .....	L
Scrivener, Hon. M. ....	St. David .....	PC
Shore, M. ....	London North .....	L
Singer, V. M. ....	Wilson Heights .....	L
Smith, G. E. ....	Simcoe East .....	PC
Smith, Hon. J. R. ....	Hamilton Mountain .....	PC
Smith, R. S. ....	Nipissing .....	L
Smith, S. ....	Hamilton West .....	L
Snow, Hon. J. W. ....	Oakville .....	PC
Spence, J. P. ....	Kent-Elgin .....	L
Stephenson, Hon. B. ....	York Mills .....	PC
Stokes, J. E. ....	Lake Nipigon .....	NDP
Stong, A. ....	York Centre .....	L
Swart, M. ....	Welland .....	NDP
Sweeney, J. ....	Kitchener-Wilmot .....	L
Taylor, Hon. J. A. ....	Prince Edward-Lennox .....	PC
Timbrell, Hon. D. R. ....	Don Mills .....	PC
Villeneuve, O. F. ....	Stormont-Dundas-Glengarry ....	PC
Warner, D. ....	Scarborough-Ellesmere .....	NDP
Welch, Hon. R. ....	Brock .....	PC
Wells, Hon. T. L. ....	Scarborough North .....	PC
Wildman, B. ....	Algoma .....	NDP
Williams, J. ....	Oriole .....	PC
Wiseman, D. J. ....	Lanark .....	PC
Worton, H. ....	Wellington South .....	L
Yakabuski, P. J. ....	Renfrew South .....	PC
Young, F. ....	Yorkview .....	NDP
Ziemba, E. ....	High Park-Swansea .....	NDP



## MEMBERS OF THE EXECUTIVE COUNCIL

Hon. W. G. Davis .....	Premier
Hon. R. Welch .....	Minister of Culture and Recreation
Hon. J. A. C. Auld .....	Chairman, Management Board of Cabinet
Hon. R. Brunelle .....	Minister without Portfolio and Chairman of Cabinet
Hon. T. L. Wells .....	Minister of Education
Hon. G. A. Kerr .....	Minister of the Environment
Hon. L. Bernier .....	Minister of Natural Resources
Hon. J. W. Snow .....	Minister of Transportation and Communications
Hon. M. Birch .....	Provincial Secretary for Social Development
Hon. C. Bennett .....	Minister of Industry and Tourism
Hon. W. D. McKeough .....	Treasurer, Minister of Economics and Intergovernmental Affairs
Hon. A. K. Meen .....	Minister of Revenue
Hon. W. Newman .....	Minister of Agriculture and Food
Hon. S. B. Handleman .....	Minister of Consumer and Commercial Relations
Hon. F. S. Miller .....	Minister of Health
Hon. J. R. Rhodes .....	Minister of Housing
Hon. D. R. Irvine .....	Provincial Secretary for Resources Development
Hon. D. R. Timbrell .....	Minister of Energy
Hon. J. P. MacBeth .....	Provincial Secretary for Justice and Solicitor General
Hon. J. R. Smith .....	Minister of Correctional Services
Hon. M. Scrivener .....	Minister of Government Services
Hon. H. C. Parrott .....	Minister of Colleges and Universities
Hon. J. A. Taylor .....	Minister of Community and Social Services
Hon. B. Stephenson .....	Minister of Labour
Hon. R. McMurtry .....	Attorney General
Hon. L. C. Henderson .....	Minister without Portfolio

## PARLIAMENTARY ASSISTANTS

Mr. F. Drea .....	Assistant to the Minister of Consumer and Commercial Relations
Mr. R. G. Eaton .....	Assistant to the Minister of Agriculture and Food
Mr. D. A. Evans .....	Assistant to the Minister of Transportation and Communications
Mr. W. Hodgson .....	Assistant to the Minister of Housing
Mr. T. Jones .....	Assistant to the Provincial Secretary for Social Development
Mr. N. G. Leluk .....	Assistant to the Minister of Culture and Recreation
Mr. L. Maeck .....	Assistant to the Minister of Education
Mr. K. Norton .....	Assistant to the Treasurer and Minister of Economics and Intergovernmental Affairs
Mr. D. J. Wiseman .....	Assistant to the Minister of Health
Mr. P. J. Yakabuski .....	Assistant to the Minister of Natural Resources

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Ontario. Legislative Assembly

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Wednesday, March 10, 1976

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

THE QUEEN'S PRINTER  
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1976

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue.

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# LEGISLATURE OF ONTARIO

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WEDNESDAY, MARCH 10, 1976

The House met at 2 p.m.

Prayers.

## SUPPLEMENTARY ESTIMATES

**Hon. Mr. Welch:** Mr. Speaker, I have here a message from the Honourable the Lieutenant Governor, signed by her own hand.

**Mr. Speaker:** By her own hand, P. M. McGibbon, the Honourable the Lieutenant Governor, transmits estimates of certain additional sums required for the services of the province for the year ending March 31, 1976, and recommends them to the legislative assembly. Toronto, March 10, 1976.

Perhaps before we start the proceedings, I might announce this is an historic day in the House, I think you will agree. In accordance with the decision of the House last session, the Speaker's advisory committee suggested that today and for a few days an actual test be made of filming the proceedings of the House. This will allow the technicians to study the minimum lighting requirements and other technical matters.

Also, the new sound system is not really functioning at its top performance, so the House might have to put up with something less than maximum desired performance for the first couple of weeks. There will be several adjustments made during this two-week period and tests made. Then, during the break two or three weeks hence, hopefully the thing will be put in proper order. I would ask that the background noise be kept to a minimum for one thing, and that everyone speak up and speak directly into the microphones as much as possible.

Statements by the ministry.

## SUPPLEMENTARY ESTIMATES

**Hon. Mr. Auld:** Mr. Speaker, the supplementary estimates that the House leader just tabled for the 1975-1976 fiscal year amount to \$207 million. I just wanted to remind the House—

**Mr. Lewis:** Now, that's restraint.

**Hon. Mr. Auld:** —that these supplementaries are included in the revised expenditure total published in the January issue of "Ontario Finances." I want to stress that they are not in addition to the deficit that we published at that time.

## KIRKLAND LAKE TEACHERS' NEGOTIATIONS

**Hon. Mr. Wells:** Mr. Speaker, I would like to make a statement and bring the House up to date on a situation concerning the Kirkland Lake Board of Education and its secondary school teachers.

The contract of the secondary school teachers of that board expired Aug. 31, 1975. Well before that date and since that date they have been negotiating for a new contract. As part of the process under Bill 100, those teachers voted to go on strike and they struck the Kirkland Lake Board of Education on Jan. 12, 1976. I might say that there are 96 teachers involved and 1,650 pupils. Since that time, negotiations have continued off and on between the board and its secondary school teachers.

Last week I asked the Education Relations Commission if it would report to me as to whether the programmes of the students in the Kirkland Lake Secondary School would be affected by the continuance of this strike. The Education Relations Commission held a hearing in Kirkland Lake last Saturday and a further hearing with the board and the teachers here in Toronto yesterday. The parties negotiated from yesterday afternoon until 4 o'clock this morning; however, they came to an impasse. I would have to say that negotiations in this particular dispute appear to be at an impasse and nothing further seems to be taking place nor does it seem possible that anything further will take place.

This morning I received a letter from the Education Relations Commission and a statement regarding this dispute, and I will quote from the summary at the end of their two-page summation and decision on this matter. They say: "In summary, however, it is our

opinion that the continuation of the strike in this dispute will place in jeopardy the successful completion of courses of study by the students affected."

Therefore, we are doing as we did in the dispute between the Metropolitan Toronto Secondary School teachers and the boards in Metropolitan Toronto. Having reviewed the situation and considered all the alternatives, and particularly the fact that an impasse in negotiations appears to have been arrived at, we have arrived at this conclusion. This government feels that we have no alternative other than to introduce a piece of legislation this afternoon forcing the teachers back to their schools, ending any lockout, if such were to exist in that area, and having the matter settled in the same manner and through the same procedures as the Metropolitan Toronto dispute was settled. Therefore, the piece of legislation that we intend to introduce this afternoon is, I would say, a parallel type of legislation to the one we introduced in the Metropolitan Toronto dispute. I intend to introduce it at the introduction of bills later on this afternoon.

#### POINT OF PRIVILEGE

**Hon. J. R. Smith:** Mr. Speaker, I rise on a point of privilege.

**Mr. Speaker:** Order, please.

**Mr. Reid:** Is that your resignation?

**Mr. Speaker:** Order, please. The hon. Minister for Correctional Services has the floor.

**Hon. J. R. Smith:** I rise on a point of privilege, not in response, I may say, to the member for Wentworth (Mr. Deans) to apologize through the House for the language used with respect to the most recent report by the Ontario Economic Council dealing with education, housing and social equity.

The council has, of course, every right to comment upon or differ with present or past government policy—

**Mr. Singer:** What a fall was that!

**Hon. J. R. Smith:** —or to advance new alternatives to broad public discussion.

**Mr. Roy:** Did the Premier (Mr. Davis) write that for him?

**Hon. J. R. Smith:** Any suggestion in my speech of March 8 to the contrary or the

suggestion that such activities in some way are subversive, I deeply regret. My disagreement with some of the suggestions in the report should not allow me to comment detrimentally on the role of the council or its right to offer views or criticisms based on its independent assessment.

I apologize to the Legislature and to the council for my inappropriate remarks in this regard. I thank the House for its indulgence with respect to the point of privilege.

**Mr. Cassidy:** Why don't you resign?

#### GO TRANSIT

**Hon. Mr. Snow:** Mr. Speaker, I wish to announce to the House that in order to relieve crowding on the GO Northwest trains operating between Georgetown and Toronto, a fourth train in each direction is to be added to the five-day-a-week schedule.

Specific times of the new schedules, which will become effective in late April, are being studied by the CNR and the Toronto Area Transit Operating Authority. Details are expected to be announced early next month by the transit operating authority, which administers GO Transit on behalf of the government.

The additional trains, combined with minor rescheduling of existing trains, will enable commuters to choose between earlier and later departures both morning and evening. The new early-morning run will enable commuters from Brampton and Georgetown to reach Malton and Etobicoke for earlier day-shift work.

I should add that even with the addition of these trains, the service provided in the northwest corridor is not likely to keep ahead of demand. Since its introduction in May, 1974, the northwest service has grown from an average of 1,500 passengers per day to more than 4,000 and that kind of growth is expected to continue.

**Mr. Speaker:** Oral questions. The hon. Leader of the Opposition.

#### PAYMENTS TO WELFARE RECIPIENTS

**Mr. Lewis:** I was asleep at the switch, Mr. Speaker. My apologies. I have a question for the Minister of Community and Social Services, who clearly anticipates it: Can I ask the minister to provide for the Legislature a single concrete example from anywhere in the Province of Ontario of a



group of single-parent families, mother-led, who have refused to work when offered jobs, in order to back up what can only be described as his fatuous and offensive remarks about single-parent families and women on social allowances everywhere?

**Hon. Mr. Taylor:** I simply refute the comments that my remarks were fatuous. On the contrary, the proposals that my ministry has in terms of tightening up legislation and regulations with regard to the eligibility of recipients of welfare have been known for some time and we are proceeding with those regulations. If there are persons on welfare who are receiving payments who should not—

**Mr. Lewis:** What do you mean “if”?

**Hon. Mr. Taylor:** —be receiving payments, then I am sure he will agree they need to be weeded out. If the member expects me to review all of the welfare system files, then—

**Mr. Moffatt:** Give us one example.

**Mr. Speaker:** Order, please.

**Hon. Mr. Taylor:** Just a minute. Basically what the member is doing is making an accusation.

**Mr. Martel:** You are making the accusation.

**Hon. Mr. Taylor:** He doesn't agree with what I am prepared to do in terms of general welfare. He doesn't agree with that. He would have everyone on welfare if he could, because that's the policy of his party; but if he would care to review the files, the general welfare assistance files, throughout this province, I would be happy to accommodate him in that regard. If he wishes to review the family benefit files, I would be happy to accommodate him in that regard. All he is trying to do is to make an accusation and to adopt a position contrary to what we have been trying to do in terms of tightening up the welfare system.

**Mr. Speaker:** Order, please. I think we should keep this to a question period and not so much of a debate. The hon. Leader of the Opposition may proceed.

**Mr. Lewis:** May I say, Mr. Speaker, in your presence, that that offer is accepted. We will accept it. I accept it on behalf of the caucus, to review the files. We will do that. Now, the supplementary is simply this: Does the minister not think that he as a minister who

supervises the entire social allowance programme in Ontario, supervises the entire day-care programme in Ontario, has a political and moral obligation to provide facts on which his assertions are based? And did he know that it is his ministry which has consistently refused to provide the support services to these very women when they have requested jobs?

[2:15]

**Hon. Mr. Taylor:** Again it's a matter of another accusation or statement on your behalf.

**Mr. Lewis:** We will document it chapter and verse for you. My own riding—I can read it to you—

**Hon. Mr. Taylor:** All right, you can say that if you wish but it's not correct at all.

**Mr. Bounsall:** Absolutely true.

**An hon. member:** It's only partly accurate.

**Hon. Mr. Taylor:** Do you want the facts? You know you've always had the facts from me. Whatever you've requested in terms of facts I've provided you with facts; I've provided you with figures in the press.

**Mr. Cassidy:** We have had rhetoric and rubbish.

**Hon. Mr. Taylor:** Look at your correspondence that you've had from me. I've been most co-operative and sensitive to the needs of the people and you know that.

**Mr. S. Smith:** A supplementary, Mr. Speaker: Could the minister tell us to which body of psychological expertise he has referred when he decided that single parents—single mothers in particular—of school-age children are better working in industry than they are working at home to provide a secure environment in a family already bereft of one parent? Which body of psychological expertise has led him to this brilliant conclusion?

**Hon. Mr. Taylor:** Certainly not yours.

**Mr. S. Smith:** You have reached a new height.

**Hon. Mr. Taylor:** May I say this: There have been no suggestions that the child should be taken away from its mother. We are eliminating the area of discrimination in terms of sex which, of course, you have been advocating, I'm sure, for a long time.

**Mr. Nixon:** Force the mothers out of the home.

**Mr. S. Smith:** You are going to force single parents out of the home.

**Hon. Mr. Taylor:** We're not discriminating as to whether it's a male or a female. There has been no suggestion that young children be taken away from parents.

**Mr. S. Smith:** No, you're taking the mothers away from the children.

**Hon. Mr. Taylor:** We haven't suggested that at all. I certainly haven't suggested that.

**Mr. Cassidy:** Of course you have.

**Hon. Mr. Taylor:** But there are situations where—

**Mr. Lewis:** Get them out of their bathrobes is what you said.

**Hon. Mr. Taylor:** If you wish to learn and if you wish to listen, I can tell you this—in talking with the welfare administrators throughout this province, if you want some empirical evidence then you go and talk to them about their working experience—

**Mr. S. Smith:** I already have.

**Hon. Mr. Taylor:** —and you will learn something. You will find that there are, in fact, dependent children who may be 18, 19 or 20 years old who are not in the work force but are receiving benefits as dependent children.

**Mr. Warner:** And there are lots of jobs available?

**An hon. member:** That wasn't the question.

**Hon. Mr. Taylor:** If you wish those children to receive public welfare and to sit at home, then come out and say it. Stand up and say that you're in favour of not only the parent but dependent children of that age, for example, sitting at home, whether they be male or female.

**Mr. Lewis:** You should resign.

**Mr. Speaker:** Order, please; order. It's very difficult to hear with the sound system, as I mentioned earlier, as it is. Please, we would like fewer interjections. It's very difficult to hear.

**Mr. Bullbrook:** If you cut down the answers you will get fewer interjections.

**Mr. Speaker:** We will allow another supplementary from the member for Wentworth. Order, please.

**Mr. Deans:** Mr. Speaker, I have a supplementary question: How does the minister equate his current position that mother-led, single-parent families should go out and find employment with the actions of his ministry to cut off the home daycare programme for the very women who are currently in the job market, operating and working, and who are not going to be able to take advantage of it?

**Mr. Lewis:** Yes, it is cut off.

**Mr. Deans:** It is cut off.

**Hon. Mr. Taylor:** Again, you're just giving another example of a distortion and something that is basically incorrect.

**Mr. Deans:** It is not.

**Hon. Mr. Taylor:** Just a minute. If you want to learn something I'll give you another little lesson. In the fiscal year—

**Mr. Nixon:** Jim, what can he learn from you?

**Mr. Lewis:** It's good this is on television.

**Hon. Mr. Taylor:** That's why you're jumping up.

**Mr. Singer:** That's why you should sit down.

**Hon. Mr. Taylor:** In the fiscal year 1976-1977 there will be \$6 million in capital funds put into new daycare construction in this province.

**Mr. Martel:** That was carried over from last year.

**Mr. Deans:** I asked about home day care.

**Mr. Martel:** That's carried over from the \$15 million.

**Mr. Speaker:** Order.

**An hon. member:** All in Hamilton.

**Hon. Mr. Taylor:** There is no question about that. There are 56 daycare centres involved in the capital expenditure of \$6 million in the next fiscal year.

**Mr. Deans:** That's not the question.

**Hon. Mr. Taylor:** All right, you're talking about day care, I'm telling you there's going to be more day care.

**Mr. Deans:** Home day care?



**Hon. Mr. Taylor:** In regard to those day-care places, that will involve 2,250 new daycare places—

**Mr. Deans:** On a point of order.

**Hon. Mr. Taylor:** Just a minute. Let me finish.

**Mr. Speaker:** Order, please.

**Hon. Mr. Taylor:** You are afraid of the answer.

**Mr. Speaker:** This is generating into a debate and it is not slackening off. Yes, the hon. member with the point of order.

**Mr. Deans:** I specifically referred to the home daycare programme. I wasn't talking about daycare centres. I wasn't asking how much the government was spending on them. I was asking how the minister was able to equate his current position with the cuts that his ministry is currently effecting in the home daycare programme which will take people out of jobs and back onto welfare. Try that.

**Mr. Speaker:** The hon. minister replies as he sees fit, of course, to all questions; that's true. Does the hon. member for St. George have a supplementary? This will be a final supplementary on this question then.

**Mr. MacDonald:** He should deal with the question.

**Mr. Speaker:** Order, please. I think we'll have the other supplementary, the final supplementary.

**Mrs. Campbell:** Thank you, Mr. Speaker. I would like to say how pleased I am that the minister doesn't choose to discriminate. I wonder if he would tell the House just precisely what steps he's taking to equate the obligation of the footloose and fancy-free father of the children in this programme?

**Hon. Mr. Taylor:** Very simply, the regulations will apply equally to the male and the female. You can see that for yourself in so far—

**Mr. Cassidy:** Just as they get equal pay when they go to work.

**Mr. Lewis:** That's the first non-sexist policy of the government.

**Mr. S. Smith:** Let's not waste the whole question period on this.

**Mr. Speaker:** Order, please. I think we should get on to the next question. Does the

hon. Leader of the Opposition have further questions?

## OHIP PAYMENTS TO PRIVATE LABORATORIES

**Mr. Lewis:** A question of the Minister of Health, if I may. Has the Minister of Health been made aware that the public relations office of the ministry is indicating that OHIP payments to private laboratories in the year 1975-1976 will reach a minimum of \$66 million—up 45.4 per cent over the amount of 1974, up almost \$7 million even over the Henderson report estimate—and that it looks as though the figure may climb to \$80 million, given the method of payment? What exactly does he intend to do to intervene in the gross and ill-advised public expenditures on private labs?

**Hon. F. S. Miller:** Mr. Speaker, I'm certainly aware of the totals; the figure of \$60 million to \$70 million is the range I would expect to hear for private labs.

I think, though, to single out private, profit-making labs as a culprit and the only culprit in the growth of hospital and health costs would be unfair. I feel the member is singling them out because they make a profit, not because of anything else.

**Mr. Bounsall:** Exorbitant profits.

**Mr. MacDonald:** That's why Leslie Frost introduced public hospital insurance—to eliminate the profit!

Interjections.

**Mr. Speaker:** Order, please. The hon. minister has the floor.

**Hon. F. S. Miller:** I think one has to realize that the source of their business remains the medical profession and remains the hospitals of the province, and that in fact the hospitals themselves have pointed out, quietly at times, that they've transferred business they could have done from their labs in the hospital to the private sector. I'm very concerned about that because obviously we gave them a global budget for functioning of their labs in a given year. I can assure the member that in the very near future we will find means of utilizing spare laboratory capacity in public labs in this province that are in the hospitals, because I have no intention of hospitals being able to shift some of their costs out of their global budget and into OHIP.

**Mr. Lewis:** By way of supplementary, is the minister willing to launch either a judicial or legislative inquiry into the methods by which OHIP pays the private labs and into the apparent practices of some of the labs as they are related both to the performance of their work and their relationship with the medical profession?

**Hon. F. S. Miller:** I know the Premier (Mr. Davis) some time ago said we were considering the matter and were prepared, if necessary, to have an inquiry; and I certainly would totally agree with that point of view. I think what we have to do is find out whether this is as widespread—in other words, the illegal part—as reported in the press or not widespread. I'm very concerned; the laboratories are concerned about it; the Ontario Medical Association is concerned about it. Long before the press got the story we had been preparing our own internal review, which incidentally I was just getting ready to prepare when Abko's name hit the press.

**Mr. Shore:** They just beat you to it, is that it?

**Hon. F. S. Miller:** The fact is that we will keep an open mind, I think, as the OPP collects information on the first of these cases. We will have a better idea when we've straightened out their books.

**Mr. Speaker:** The member for Hamilton West with a supplementary.

**Mr. S. Smith:** Supplementary: Given that the minister admits his tremendous concern about the fact that the private labs are an extremely expensive vehicle right now, and possibly being misused, how can he justify closing the public health labs, such as those in Woodstock and in Kenora, an area which is disadvantaged in Ontario? How can he justify closing these admittedly efficient, well-run labs, in order to make imaginary savings and transferring automatically certain proportions of this work into the private sector?

**Mr. Laughren:** He is a private enterpriser, like you.

**Hon. F. S. Miller:** The member has made a couple of assumptions, and a little bit of truth always sounds pretty good.

**Mr. Nixon:** That sounded fine.

**Mr. Reid:** Let's have some from over there.

**Mr. Speaker:** Order please.

**Hon. F. S. Miller:** He knows the provincial public health labs do certain types of tests not done by anybody else at all, and therefore—

**Mr. S. Smith:** Some are.

**Hon. F. S. Miller:** Yes, roughly 10 per cent in some cases.

**Mr. S. Smith:** Between 10 and 15 per cent.

**Hon. F. S. Miller:** The fact is that in a case like North Bay we are able to transfer the great bulk of the clinical work into the local hospital labs, where it should go, and I am told without any budgetary change. Now those two are unrelated statements. The question is, we have a lot of labs in the province. We froze the licensing of them, I think it was in 1972. Scarcely a new lab has been licensed since. We are now on the point of cutting back and we will be cutting back in the near future on the types of tests individual labs can do.

**Mr. Speaker:** The member for High Park-Swansea with a supplementary.

**Mr. Ziemba:** I am curious about the \$80 million figure; and the minister is suggesting that it could be \$60 million or \$70 million. Does he recall the meeting at Seneca College, when I suggested that private labs would be paid about \$80 million for the year 1975 and he said that was wrong, and it would be no more than \$50 million? How come, in the space of two weeks, he has added an extra \$20 million?

**Mr. Shore:** Apologize, right.

**Hon. F. S. Miller:** Mr. Speaker, I am not permitted to ask him a question, I guess, am I, in response?

**Mr. Roy:** You can ask; he can't answer.

**Mr. Deans:** He can't answer.

**Hon. F. S. Miller:** A sudden thought crossed my mind. I am wondering if the fact that he is trying to be a facsimile of the former member for that riding—

Interjections.

**Mr. MacDonald:** Deal with the issue.

**Hon. F. S. Miller:** —has anything to do with the fact that I have been told a facsimile of him has been going around saying he is an inspector of my office.

**Mr. Speaker:** Order, please.



**Hon. F. S. Miller:** I am just wondering if it has. It's something quite serious if it turns out to be true.

**Mr. Speaker:** Is there an answer to the question?

**Mr. Lewis:** On a point of order, if I may, Mr. Speaker—

**Mr. MacDonald:** What has that got to do with the question?

**Mr. Lewis:** The minister is raising something that he obviously—

**Mr. Speaker:** Order, please. Has the hon. minister completed his answer?

**Hon. F. S. Miller:** I don't know whether anyone in the NDP has ever said he was working for my ministry and gone into the laboratories.

**Mr. Davidson:** I can't think of anyone who would want to.

**Hon. F. S. Miller:** Please let me ask the member that question privately. I'll speak to him later.

**Mr. Lewis:** I will rise on a point of privilege after the question period and ask the minister to explain.

## HOSPITAL CLOSINGS

**Mr. Lewis:** I have another question of the Minister of Health: In view of the increasing evidence from all of the small community hospitals which he has closed down that the figures provided by the ministry are in contradiction to the figures which are provided now by the communities themselves, will he review each and every decision on these hospital closings, and will he allow a considerable period of retreat, six months or more at least, so that the Legislature can make an assessment of the propriety of this programme?

**Hon. F. S. Miller:** Mr. Speaker, certainly in visiting some of the hospitals where I asked for closure, I pointed out that my basic purpose was to trim the number of beds in a geographic area to those we thought were necessary, and at the same time effect savings by so doing. As members know, only a few beds were saved through total closures of hospitals—in a range of, say, 500 in round figures. Another 1,500 or thereabouts may have been saved through wing closures, rather than hospital closures.

We pointed out that the dollar savings per bed effected by closing a total hospital were generally higher than those obtained by closing equivalent numbers of beds in wings of hospitals. So in a given area it might be hard to supply all of their needs and get all of the savings we deemed were possible.

[2:30]

I haven't closed the door at any time upon suggestions for alternative ways of saving those dollars in a given geographic area in which I selected a hospital. I suspect some suggestions of this type will come to me. I've heard rumours that they're working on some alternatives. I know the Premier (Mr. Davis) is meeting with members of hospital boards—I believe tomorrow and probably next week again—and I'm sure we will be quite interested in any alternatives.

**Mr. Lewis:** One supplementary if I may—a quick supplementary: Has the minister yet prevented the imminent resignation of the member for St. Andrew-St. Patrick (Mr. Grossman) by providing him with proof of the cost savings for the Doctors Hospital closing?

**Hon. F. S. Miller:** I sincerely hope I have. I think one will have to let the member answer that question.

**Mr. S. Smith:** Supplementary: In view of the minister's statement that he would be willing to entertain suggestions from the various regions where these hospitals have been closed and where these town economies are being threatened and destroyed—in view of this suggestion that he is now open to other suggestions from the community to find alternative ways of saving the money apart from closing these hospitals—may I take it that that is an invitation to the people in the area of Chesley and the area of Durham, and all the various centres that he has closed, to reopen the negotiations? And may I ask him why he couldn't have asked them to do the sensible thing in the first place, instead of announcing that he is going to close the hospitals?

**Hon. F. S. Miller:** In the case of Chesley, the answer would be no. The decision is final on Chesley.

**Mr. S. Smith:** Which ones are not final?

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** The cameras are on you; just wave your hands a little more.

**Mr. S. Smith:** Never mind insulting me.

**An hon. member:** You know the facts. You know the facts about Chesley.

**Mr. Speaker:** Order, please. The hon. minister will please answer the question.

**Hon. F. S. Miller:** You just need to check with your members. They're talking to me regularly and they know it and you know it.

**Mr. Speaker:** A final supplementary, the member for Grey-Bruce.

**Mr. Sargent:** Wouldn't the minister agree that with the hospitals he is closing, the total of dollars involved is a bit less than \$9 million, and with the 5,000 people that we're talking about involved in the whole picture, the net saving may be \$4 million? Wouldn't he agree that he should leave the closings alone? He's only saving \$9 million in total.

**Hon. F. S. Miller:** Only \$9 million is a lot of money.

**Mr. Drea:** That's fast Eddie.

**Hon. F. S. Miller:** The problem with my budget is that if one talks percentages, they're always tiny. If one talks dollars, they're immense. I keep repeating, one per cent of my budget currently is \$34½ million.

**Mr. Sargent:** It is going to cost \$5 million to relocate those people.

**Hon. F. S. Miller:** In effect, I have to find savings where I can find them.

**Mr. Sargent:** So your net savings are \$4 million.

**Hon. F. S. Miller:** What level of savings is worthwhile? If \$9 million is not, what is worthwhile in your opinion?

**Mr. Speaker:** The member for Hamilton West with his series of questions.

**Mr. S. Smith:** Mr. Speaker, continuing on this particular matter, I would like to ask the Minister of Health a question. Could he please provide us and provide the people of Ontario with a list of which of the small-town hospital closings are still open for reconsideration and which are not? How much additional time is he prepared to give to this matter for the communities to come forward with suggestions?

**Hon. F. S. Miller:** Mr. Speaker, I have told each hospital as I've visited them.

**Mr. S. Smith:** Tell us.

**Hon. F. S. Miller:** Will you listen?

**Mr. S. Smith:** Yes.

**Mr. Roy:** Tell us.

**Hon. Mr. Rhodes:** Just hope Pierre doesn't get mad at you, Smithy.

**Hon. F. S. Miller:** I might say—no, I won't say it. Each hospital was told the day I visited it that it had the right to appeal my decision. I tried to say—particularly clearly, I would say, in Clinton because that was the last of the cases—I tried to say in other areas that we would consider alternatives. The hospital that has been in so far is the Paris Willett hospital. Doctors Hospital has not yet been in but I understand it is coming in next week. I understand that Clinton is coming in tomorrow; Durham is coming in next week. I understand that those are all the hospitals yet to come. Bobcaygeon has been in to see me.

**Mr. Sargent:** Chesley isn't going to close. I will tell you that. You wait and see.

**Mr. S. Smith:** A supplementary: I did not ask him who had come in to see him; I appeal to him. I had asked which are the hospitals on which he is still willing to reconsider the closing order. I presume he is willing to reconsider Clinton, Paris and Durham if they are able to effect other savings by alternative means in the area. Is he also able to give us the whole list of hospitals for which he would be prepared to consider alternatives rather than closing?

**Hon. F. S. Miller:** That's it. You've got it.

**Mr. S. Smith:** This is not a game; these towns are suffering.

**Hon. F. S. Miller:** Can the member name other ones that are involved?

**Mr. S. Smith:** Doesn't the minister know which hospitals he has closed? They're Copper Cliff, Virgil, Bobcaygeon, Kemptville—

**Hon. F. S. Miller:** I mentioned Bobcaygeon a moment ago.

**Mr. S. Smith:** Just give me the list. That's all I ask.

**Mr. Speaker:** Order, please. There is only one person on the floor at a time. A supplementary from the hon. Leader of the Opposition.

**Mr. Lewis:** By way of supplementary: Can I understand what purpose this exercise is



designed to serve? Is the minister saying to the hospital that he will consider an alternate medical use of the facility? No? That is not allowed?

**Hon. F. S. Miller:** No, I don't mean that quite that way at all.

**Mr. Lewis:** Just so that the minister takes the Legislature into his confidence, since we have not been sitting, what kind of alternatives can the hospitals put to him which he will then evaluate? For instance, Durham and Clinton—there are two good examples.

**Hon. F. S. Miller:** Yes I'm glad to answer these questions. The member knows he has three more hours with me right after 3 o'clock.

**Mr. Lewis:** Not on this subject.

**Hon. F. S. Miller:** I suspect it will come up. The fact remains, though, that if there were alternative uses for a facility being proposed by communities—perhaps for argument's sake, and this shouldn't be construed as a possible specific case, the Paris hospital came along and said, "We'd like to be half-chronic and half-nursing care," and made a suggestion to that effect, if we had deficits in those kinds of areas, sure, we'd consider that as an alternative use. We're talking about the appeal, though, from hospitals which say they want to remain active treatment hospitals as such.

**Mr. Lewis:** You will allow that?

**Hon. F. S. Miller:** No. I'm saying they had the right to come back to the Premier (Mr. Davis) and state their case and be heard, after which the decision would either be reaffirmed or changed.

**Mr. Speaker:** The member for Grey.

**Mr. Nixon:** A supplementary, Mr. Speaker.

**Mr. Speaker:** I recognize the member for Grey. He is on his feet.

**Mr. McKessock:** Mr. Speaker, I have an alternative for the Minister of Health. Would he consider taking a further one-half of one per cent cut in the hospital budgets across Ontario which would give him the same \$10-million saving to allow these 10 hospitals to stay open?

**Hon. F. S. Miller:** I wouldn't for this reason: This year, after a great deal of discussion with hospitals, we agreed to selectively cut budgets of hospitals.

**Mr. Good:** It would hit too many Tory ridings.

**Hon. F. S. Miller:** Some hospitals have had \$1 million plus taken out of their base this year. Others have had none taken out of their base. That choice was made with the consent of the Ontario Hospital Association and the hospitals which said that penalizing the efficient in the future was not a fair way of maintaining the inefficient.

**Mr. Speaker:** The member for Brant-Oxford-Norfolk with a final supplementary on this.

**Mr. Nixon:** Thank you, Mr. Speaker. Am I to understand from the statement made by the Minister of Health that I can convey to the board of the Willett Hospital in Paris that the minister would give favourable consideration to the continuation of the Willett Hospital with chronic care and some other care associated with it, rather than the minister's programme now which would result in its being boarded up and abandoned?

**Hon. F. S. Miller:** We will not manufacture uses that don't reflect a need in a community. That's fair enough, isn't it?

**Mr. Nixon:** It is.

**Hon. F. S. Miller:** The member will recall that the day they came in, I touched on chronic care, and he may remember that they said they weren't too interested in it. Does he recall that?

**Mr. Lewis:** No, they did not say that.

**Hon. F. S. Miller:** The Leader of the Opposition was not there.

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** Does he mean that the eavesdropping system works that well? The member for Brant-Oxford-Norfolk was there. Did they or did they not imply that?

**Mr. S. Smith:** All right. Is it still open?

**Mr. Nixon:** Since the minister asked me a question, Mr. Speaker—

**Mr. Speaker:** Yes, but you are not allowed to answer it.

**Mr. Nixon:** —is it proper then to assume that the Paris-Willett is one of the hospitals whose closing is not complete, final and irrevocable?

**Hon. F. S. Miller:** Yes, because the member has not received replies from the Premier (Mr. Davis) through me.

**Mr. Nixon:** Oh, we got a nice letter from the Premier.

**Mr. Shore:** What has the Premier got to say about it?

### PROVINCIAL TAX REVENUES

**Mr. S. Smith:** We will give the Minister of Health a rest and we'll turn our attention to the Treasurer. Since it is obvious, even with the institution, admittedly, of needed economies at the municipal scale, that nonetheless there are going to have to be very substantial mill rate increases in the vast majority of municipalities across this province, could the Treasurer explain to us why, in his view, property tax is now considered by him to be a more appropriate method of raising revenue than other forms of taxation open to him at the provincial level?

**Hon. Mr. McKeough:** Mr. Speaker, there are several assumptions in those questions which I don't necessarily agree with.

**Mr. S. Smith:** There won't be any rate increases?

**Hon. Mr. McKeough:** There are indications that there will be tax increases in the province this year. My own guess is that they will not be as severe as we at one time had thought. I noticed, for example, in the city of London that they expect to strike a rate for the municipal side of about four mills, which I would guess—

**Mr. Peterson:** They have not got them.

**Mr. Good:** They haven't got the education centres.

**Hon. Mr. McKeough:** That's on the municipal side, and it will work out to a not unreasonable amount, I am sure. I am sure that across the province generally serious efforts are being made, both by municipalities and school boards, to cut expenditures and to cut back to essentials; and I am satisfied that when that is done, the tax increases in the province will not be all that unreasonable.

**Mr. S. Smith:** Supplementary, Mr. Speaker: Can the Treasurer assure us that any increase in provincial revenues during 1976-1977, including those generated by tax increases and the expiry of last year's pre-election tax cuts, will be shared with municipalities according to his Edmonton commitment—or has he reneged on that totally?

**Hon. Mr. McKeough:** Mr. Speaker, it seems to me that these are matters which will

undoubtedly be discussed at the time of the budget.

**Mr. Speaker:** Does the member for Hamilton West have any further questions?

**Mr. S. Smith:** No.

### HOSPITAL CLOSINGS

**Mr. Grossman:** Not yet being convinced, I have a question for the Minister of Health.

**Mr. Shore:** Are you still a member?

**Mr. Speaker:** The hon. Minister of Health is not in his seat.

**An hon. member:** He has left.

**Mr. Grossman:** I think I see him coming.

**Mr. Speaker:** He is approaching.

**Mr. Cassidy:** Why don't you join Smith and Taylor and quit?

**Mr. Grossman:** My question, Mr. Speaker, is that since all of us associated in any way with the Doctors Hospital are convinced on whatever analysis it be, even if it be a per diem statistic, that the hospital remains one of the most efficient in the province, would the minister therefore either acknowledge that efficiency or inefficiency had no part whatever in the decision to close the Doctors Hospital; and if it did have a part, could he specify the ways in which the ministry believed the hospital to be inefficient?

**Hon. F. S. Miller:** Mr. Speaker, I have never said any hospital was closed totally because of inefficiency.

**Mr. Good:** You said it just five minutes ago.

**Hon. F. S. Miller:** Listen a second: I made selective budget cuts in hospitals that were inefficient, not total closures. Closures were based upon the supply of beds in a given area—such as the Huron county area, such as the Grey county area, such as the Metro Toronto area—and we had a job to decide which hospital should close. In the case of Metro Toronto, several factors not related to efficiency were my reasons for choosing Doctors Hospital. One was its size; it happened to be lower than the total number of beds we required. Somewhere in the order of 400 within the city had to be closed: it had 319. Second was the fact that it had made proposals to me, which I accepted in good faith, saying it needed to be rebuilt at a cost of \$15 million. Those two basic reasons were the primary reasons for its selection in Metro Toronto.



**Mr. Lewis:** Supplementary: Is the minister able to provide any concrete evidence of the beds that are available in the downtown core to which Doctors—

**Mr. Grossman:** I have a supplementary.

**Mr. Lewis:** I'm sorry; I didn't realize. My apologies.

**Mr. Speaker:** The member for St. Andrew-St. Patrick, I'm sorry, I didn't see you.

**Mr. Grossman:** You will have to get used to looking this way a little bit—at least until we finish this subject.

**Mr. Speaker,** I would like to ask the minister, in view of that answer, since there will be 12,000 cases displaced this year to Doctors Hospital due to the closing—and I think it's fair to assume that those will be spread over three or four adjacent hospitals, since two of those hospitals, Western and Mount Sinai, did not get a decrease in their budgets—

**Mr. Singer:** Question.

**Mr. Grossman:** Here it comes—would it be fair to assume that those hospitals, Mount Sinai and Western, would qualify as somewhat inefficient.

**Hon. F. S. Miller:** Mr. Speaker, the very fact that they did not get a budget cut would qualify them as efficient.

**Mr. Lewis:** Supplementary.

**Mr. Grossman:** Supplementary: Surely the fact that they did not get a budget cut is related to the fact that—

**Mr. Speaker:** Order, please. The hon. member had his supplementary. The hon. Leader of the Opposition with his supplementary.

**Mr. Lewis:** Very quickly, can the minister provide any evidence to the Legislature, can he provide us with any material to show where these surplus beds are in the downtown core to which the 12,000 patients over the year will be referred, because I want to tell the minister we can't find them.

[2:45]

**Hon. F. S. Miller:** Mr. Speaker, first of all, I have been a bit appalled that you looked to your left instead of your right in selecting questioners. But let me just say this; in the downtown core we have estimated the number—in fact, in Metro Toronto—the number of beds available on a population basis.

**Mr. Lewis:** Where is it?

**Hon. F. S. Miller:** I can only say this; the assumption that we are closing hospitals because beds are empty is not correct. Beds are not empty in any hospital to speak of in the Province of Ontario. It's axiomatic that doctors fill beds with patients until, in fact, the hospital is running very close to its overall ability.

**Mr. Roy:** Why did you close all those hospitals then?

**Hon. F. S. Miller:** Sometimes there are patients in halls. These are used as examples, then, of an overload in the system. The fact remains that medical management does not improve until the total number of beds is brought in line with the total needs of the population. In other words, people are there unnecessarily.

**Mr. Speaker:** The member for Armourdale with a final supplementary on this subject.

**Mr. Givens:** Why did the minister permit Doctors Hospital to make an expenditure of \$350,000 on the installation of a new air conditioning system only last December if he intended to close it down in February?

**Hon. F. S. Miller:** I think, Mr. Speaker, when one looks back at the approvals for any given institution they usually take in several—

**Mr. Sargent:** That would keep us open for a year.

**Hon. F. S. Miller:** They have usually taken several years to come to a point where they are actually done.

I think it is safe to say that while staff in my ministry for some years have fought and recommended to various people that hospitals could be closed, it has just not happened before. So it is quite understandable that routine approvals for improvements in plants, such as that one, carried on on the assumption buildings would continue to exist.

**Mr. S. Smith:** You don't plan a year ahead in your ministry!

**Mr. Peterson:** You need more staff.

## INCO SMELTER WORKERS

**Mr. Martel:** A question of the Minister of Health: Is he prepared to table the report on the converter workers at the Inco smelter, undertaken in 1973?

**Hon. F. S. Miller:** I will get an answer to that question, Mr. Speaker.

**Mr. Martel:** A supplementary, Mr. Speaker: If as indicated in the report, three times as many converter workers have chronic bronchitis as do refinery workers, what does the minister intend to do about it?

**Hon. F. S. Miller:** I think it would be rather presumptuous of me to tell the member until I have learned something about the problem.

**Mr. Speaker:** A final supplementary on this, because the last answer doesn't really indicate much room for a supplementary question. But we will hear the question from the member for Nickel Belt.

**Mr. Laughren:** To the Minister of Health: If, as we believe, the report indicates that there is three times the incidence of chronic bronchitis among the converter workers, will he then advise the Minister of Labour (B. Stephenson) to include chronic bronchitis as a compensable industrial disease?

**Hon. F. S. Miller:** Mr. Speaker, first of all I don't make that decision. But in the last while the Province of Ontario has shown—in fact, it is the only place in North America—that it is willing to recognize classes of disability before a person had to stop work because of illness. I am taking that approach in the general attitude. I am sure my colleague in the Ministry of Labour is going to be, too. We are trying to protect the workers.

**Mr. Martel:** The minister has been sitting on the report for 18 months.

## CANADIAN CONSTITUTIONAL REFORM

**Mr. Bullbrook:** I would like to direct a question to the Premier in two parts, if I might.

Firstly, has his government in any way formulated a policy of response to the pronouncement by the Prime Minister of Canada that his government is contemplating the unilateral repatriation of the constitution? Secondly, in light of what might well be a confrontation with respect to the constitution, would this government reconsider its position and permit us in this assembly to debate the consequences of Ontario entering into an agreement with the federal government abdicating our rights and responsibilities under the anti-inflation programme?

**Hon. Mr. Davis:** Mr. Speaker, I think they are really two distinct questions from the member for Sarnia, with respect, not entirely related. But I shall endeavour to deal with the two questions because I knew he felt perhaps he wouldn't have an opportunity to ask the second.

With respect to the first question, Mr. Speaker, in fairness to the Prime Minister of Canada, he did indicate to the premiers of the provinces some months ago that he was anxious to once again set in motion consideration of constitutional reform and patriation of our constitution.

In response to this, he had one or two individuals visiting the various governments in Canada, and I think I am right in this, I think I recall meeting one of the representatives personally to whom I indicated that by and large Ontario's position would be approximately what it was in Victoria in 1971. I think I gave the impression, hopefully so, that I assumed there would be some first ministers' conference, that it would be discussed openly and that it would be done with the total support—this is giving and taking a little bit on individual items—of all the provinces in conjunction with the federal government.

The first minister's statement, in his observations to the Quebec wing of the Liberal party of Canada—that is the same group in Quebec that is represented here in the House, I guess, in Ontario—his observations—

**Mr. Roy:** What are you trying to say?

**An hon. member:** Don't make Pierre mad.

**Mr. R. S. Smith:** What was your position in 1971? You didn't have a position.

**Hon. Mr. Davis:** —at that time indicated—and as I say, it was an indication from the press; I have not gone to the Prime Minister personally—that he was considering doing this, perhaps, on a unilateral basis. I made it clear, I hope, in a few remarks in public on Monday at noon, or 1 o'clock, that I thought this was regrettable and that any alteration to our constitution or how it is to be dealt with should be done in consultation and with the support of the provinces, and that remains my position. I just question, Mr. Speaker, whether the Prime Minister would in fact seriously consider moving ahead without consultation and the support of the provinces of Canada.

I also made the observation, Mr. Speaker—and I don't want this to be misunderstood



and I hope the first minister of this country heard those observations—that while Ontario was quite prepared to sit down and discuss matters on the constitution, that if I had a scale of priorities at this moment, and as I said to a public gathering of some 1,300 people, I think if any of that 1,300 were establishing a scale of priorities, the question of constitutional reform would be very close to the bottom of the list.

**Mr. Sargent:** Hospitals are first, though. Closing hospitals is first.

**Hon. Mr. Davis:** And I want to say this to the House, Mr. Speaker—

**Mr. Shore:** What would be the next closest?

**Hon. Mr. Davis:** No, no; I am not being partisan in this at all. I am saying to members of this House that, you know, we can only accomplish so many things. Government can only do so much and that I would like to think that the energies of the first minister and the government of Canada, and the energies of myself and the ministers and the members of this House are directed toward the economic problems that face Ontario and Canada today—

**Mr. Bullbrook:** Don't do this. Answer my question. We don't need a speech.

**Hon. Mr. Davis:** —and not that of constitutional reform.

**Mr. Bullbrook:** We don't need a speech.

**Hon. Mr. Davis:** No, no; but listen—

**Mr. Bullbrook:** With the greatest respect, just answer the question.

**Mr. Yakabuski:** You're getting the facts, so don't wreck it.

**Hon. Mr. Davis:** —I think the member for Sarnia really should want to hear my reaction.

**Mr. Speaker:** Order, please. The hon. Premier has the floor.

**Hon. Mr. Davis:** Now, Mr. Speaker—

**Mr. Reid:** Are you supporting Bourassa? What's your policy?

**Mr. Speaker:** Order, please. The hon. Premier has the floor.

**Hon. Mr. Davis:** I called the Premier of Quebec. I read the headlines Monday morning and I did call him. I was offering him a membership in the federal Tory party of Canada.

**Mr. Reid:** Which party? Which one?

**Hon. Mr. Davis:** I have to say, in fairness, he did not accept that, he did not accept that.

Interjections.

**Mr. Reid:** What did you say to him on the phone?

**Mr. Bullbrook:** After what you did to Wagner, he wouldn't accept, I will tell you.

**Hon. Mr. Davis:** Mr. Speaker, to answer the second question, which was really not related or supplementary, from the member for Sarnia, as to whether or not there would be an opportunity to debate the legality or the constitutionality, if that is the right term, of the federal bill itself or of the agreement that was signed by this province with Ottawa, I would say with respect, Mr. Speaker, we have asked the federal government to have questions directed to the Supreme Court of Canada where the two matters that I think are really relevant in the total issue would be considered by the Supreme Court of this country. I would think, Mr. Speaker, until an answer is received from Ottawa as to whether or not they will do this or support this, and if the answer to that is in the affirmative, and I sincerely hope it will be, then I would think that we should wait determination by the Supreme Court of Canada as to their views as to whether or not it was constitutional or otherwise.

**Mr. Speaker:** Supplementary. The member for Sarnia.

**Mr. Bullbrook:** One supplementary, if I may, with respect to the second question and the Premier's latter response. Wouldn't the Premier agree that an application with respect to our right to debate, and the validity therefore of his signing the agreement, won't be necessary if he permits us to debate? One recognizes, if I may, the question of the constitutionality of the federal statutes, but we can avoid any application on the second matter by permitting us to debate the matter here.

**Hon. Mr. Davis:** Mr. Speaker, if the member for Sarnia is committing the parties opposite, both parties, that if we go through a day's debate, that he will support the agreement that has been signed by the government of Ontario with the government of Ottawa, then I would agree with him.

**Mr. Bullbrook:** I did no such thing—no such thing at all.

**Hon. Mr. Davis:** Of course he's not saying that, so that a debate in this House does not solve that problem. I can't follow the logic.

**Mr. Bullbrook:** It is a parliamentary procedure called debate.

**Mr. Speaker:** A final supplementary, the member for Wilson Heights.

**Mr. Singer:** Mr. Speaker, could I ask the Premier why he does not take advantage of the Ontario Constitutional Questions Act and refer it himself through the mechanism of the Lieutenant Governor in Council to the Court of Appeal, instead of waiting for Ottawa to do something which he should do? Because what is being questioned by members of this House and by the professor in the arbitration—

**Mr. Speaker:** Order, please. I believe the question has been asked.

**Mr. Singer:** —was whether or not Ontario acted constitutionally.

**Hon. Mr. Davis:** Mr. Speaker, I haven't practised law for quite a while, unlike the member for Wilson Heights, so I won't presume to give a legal opinion. But I think I can go on the assumption that if there were a preference to the Court of Appeal in Ontario, that if either party who undertook that reference wasn't totally satisfied with the result, there would be a further appeal then to the Supreme Court of Canada.

**Mr. Singer:** In the meantime you wait while Ottawa dallies about.

**Hon. Mr. Davis:** Recognizing the great public interest, and properly so, and the urgency of the situation, we think it is very advisable to move to the highest court immediately to get that decision.

**Mr. Singer:** The only thing that is happening is the school board is going to—

**Hon. Mr. Davis:** I recognize that may not be the logic of the member for Wilson Heights, but I think, with respect, it certainly makes a great deal of sense to get it to the Supreme Court of this country and get the final decision as soon as we can.

**Mr. Singer:** And slough off the responsibility that you should take.

**Mr. Speaker:** The oral question period has expired.

Petitions.

Presenting reports.

**Hon. Mr. Rhodes** presented the annual report of the Ministry of Housing for 1974-1975.

**Mr. Speaker:** I beg to inform the House that the report of the Commission on Election Contributions and Expenses and the returns from the 1975 general election and the preceding by-elections have been tabled and distributed to the members through the post office.

Motions.

**Hon. Mr. Welch** moved that standing committees of the House for the present session be appointed as follows:

1. Procedural affairs committee.
2. Administration of justice committee.

Committees 1 and 2 combined, under the chairmanship of the chairman of the administration of justice committee, will function as the private bills committee.

3. Social development committee.
4. Resources development committee.
5. Miscellaneous estimates committee.
6. Public accounts committee.
7. Regulations committee.

Which said committees shall severally be empowered to examine and enquire into all such matters and things as may be referred to them by the House, provided that all boards and commissions are hereby referred to committees No. 1 to 4 in accordance with the policy areas indicated by the titles of the said committees.

Public accounts for the last fiscal year are hereby referred to the public accounts committee and all regulations to the regulations committee.

All standing committees shall report from time to time their observations and opinions on the matters referred to them, with the power to send for persons, papers and records.

That there be no duplication of membership among committees No. 1 to 4 inclusive; or between committees No. 5 to 7 inclusive.

That substitutions be permitted on any committee provided that notice of the substitution is given to the chairman of the committee prior to the commencement of the meeting.

**Mr. Speaker:** Shall this motion carry?

**Mr. Singer:** No, Mr. Speaker. There are a couple of questions that arise out of this motion, as there usually are when this motion is put every year.



Let me ask the minister, first, what is the usefulness of the regulations committee? The regulations committee was established a few years ago with lots of sound and fury; it was going to give the Legislature an opportunity to question the usefulness of the regulations. What in fact it has got to now is whether or not the regulation is within the four walls of the enabling statute, and anyone could draft a regulation within the four walls of any of the regulatory powers in any of the statutes.

[3:00]

So the committee does absolutely nothing. It is a useless committee, and unless this House gives more power to that committee to question policy behind the regulations, then it's just an exercise in complete and utter futility. We are going to take up the time—very little time, because the committee doesn't do anything—of 12 or 13 members of this House who are going to assemble regularly and pass whatever is put in front of them. They are going to incur the extra expense, I suppose, of the chairman's salary; and I suppose it was rather clever when the House leader arranged all this that he passed off that chairmanship on one of the members of the Liberal Party and therefore we were supposed to keep quiet about it. But we are not going to keep quiet about it. I think it is a pointless and useless exercise. Why we have to follow that kind of a position, because a number of years ago somebody said it would be well to have a vehicle whereby we can question the usefulness of regulations, to do it in this form, I don't know. I would like to hear the minister explain that at some substantial length.

The second point I'm concerned about, and this House has been concerned about over a great number of years, is the question of substitutions. Why there should have to be a notice of substitution to the chairman of a particular committee in advance of the hearing of the day, why it shouldn't be permitted at any time, I don't know. I think that is a very strong feeling of many members of this House. Certainly it is my feeling.

In addition, Mr. Speaker, we ran into this problem earlier in so far as select committees are concerned. I think this House should spell out in this resolution, as it proceeds through its process, that there is a right to any member of this assembly to attend at any hearing of any committee established by the assembly and to take part in those proceedings, subject to the ordinary rules of order.

Now something new came forth. The member for Oriole (Mr. Williams) evolved as a

new member, a brand new idea that committees could cut off other members of the House, and as chairman of a select committee he did that. I think that is wrong. I think it is a negation of the democratic process and I think it's time this House established a method whereby the rights of the members are recognized, and the time to do it is in this resolution. Those two suggestions, I think, are very important toward the proper function of the committee system, and I would hope that the minister would see fit to embrace them in some form in the resolution that is presently here.

**Mr. Speaker:** The member for Ottawa East.

**Mr. Roy:** Mr. Speaker, just briefly on the regulations, I think the House leader is aware that the Camp commission is looking at the role of certain committees, and in fact the regulations committee, and I would like to get the House leader's response to whether he is prepared to change the terms of reference of that regulations committee? As my colleague has said, the only way we could, in fact, ensure that the regulation was within the four corners of the Act would be to have a whole legal committee scrutinizing every regulation. I think the minister knows the amount of regulations that are put through, and have in fact been pushed through by the government, which have received no scrutiny whatever from anyone.

I'm saying to the House leader that unless some substantial change is made to the regulations committee and the power of that committee to look at the merits of the regulations, then the regulations committee is a useless institution. It is, in fact, involved in a very useless exercise. So I'm saying to him, unless we in this party can see some substantial changes coming forward in the operation of this committee, I say to the House leader that we should not encumber ourselves in a meaningless exercise of having a committee set up, and I suppose the only purpose of it is for the chairman to make some extra dollars by being paid something extra.

Really, let's get involved in a situation where we in this House are involved in a useful and meaningful purpose, to look at the merits of these regulations. I say to you, Mr. Speaker, the original approach of setting it up to peruse regulations could have been a very meaningful and useful process. No one really looks at the merits of these regulations, and unless that's changed I don't think we should continue being involved in this charade.

**Mr. Speaker:** The member for Lakeshore. Before the hon. member commences—

**Mr. Nixon:** Point of order, Mr. Speaker. I wonder if we could have the Conservative caucus meet elsewhere while this debate is on?

**Mr. Speaker:** That is what I was just going to draw to the attention of the House. Order, please. The level of background noise makes it almost impossible to hear; so could we please have fewer or lower, or both, conversations? Thank you. The hon. member for Lakeshore has the floor.

**Mr. Lawlor:** I am sorry, I much prefer the foreground noise.

**Hon. Mr. Davis:** You didn't know Hughie was over here.

**Mr. Lawlor:** Very briefly, Mr. Speaker, what has been said on this issue is right, and reconsideration of the role and ambit of authority of that particular regulations committee ought to be made. It was first initiated under the aegis of the McRuer report. A very strong case indeed was made for the validity of such a committee in reviewing them, because as we all know regulations have the same weight as the law itself, and may divert, may distort. Policy decisions that go into the thing are as important as what is discussed in this House, and from that point of view itself there is a recognition that as things presently stand on the terms of reference there is a serious deficiency.

What on earth is holding the government up with respect to the rectification of that? We have argued for the past couple of years on this particular matter. Either abolish the committee completely or make an amendment that makes the committee have some viability.

**Mr. Nixon:** Mr. Speaker, there is one matter which you personally, I believe, could deal with. It was raised by my colleague, the hon. member for Wilson Heights (Mr. Singer), and that is the question as to whether each of the individual members of this assembly has the right or has not the right to participate in the work of any committee. Certainly it was always understood that they did have the equal right, even with committee members, to participate, except for voting. I may be incorrect in that, but in my experience they weren't even asked to sort of sit in a corner and speak last if they chose to do so.

The members of the Legislature were considered; certainly in standing committees at least, and I always considered it to be the same in select committees, individual members could participate in the debate and influence the course of events to the extent of their own ability and knowledge.

Now if there is some question about that I believe you, sir, are in a position to set that aside. It may be very difficult, if not impossible, to have the matter settled by motion of the House, and I feel that it is in your realm of responsibility, with whatever advice you seek, to make a pronouncement on that and it would be acceptable. I would ask, sir, before the committees start to meet, that you make it very clear that each individual member of the assembly has the right to participate in the workings of all of the committees, except of course with a vote.

**Mr. B. Newman:** Mr. Speaker, I wanted to make a few comments concerning substitutions. It's been my experience in the past that it would be by far better to allow each individual party to have, for the number of members they are allowed on the committee, unlimited substitution without reporting necessarily to the Chair.

For example, we are allowed three members in one of the committees. One of the members may be called out for an urgent telephone message. In the meantime there are other members from that same party who are present; they should be allowed to vote in lieu of the other member, without necessarily reporting to the chairman. We are only allowed three members and it shouldn't matter which of the three members vote. The party itself decides which of the three are going to represent the party position at the time of the voting. I certainly would hope, Mr. Speaker, that any member be permitted to speak on any topic at any time in any of the sittings. He may not necessarily have the right to vote, but he should be allowed to express his own thoughts and his own feelings, and this is especially true when it comes to the public bills.

Mr. Speaker, I hope that the House leader will consider not necessarily recording the individuals who are going to vote on behalf of the party before the meeting takes place, but doing so just before the votes takes place. There will always be a leader for each of the caucuses there and that individual can state who the voting members are going to be.

**Mr. Good:** Numbers are all that is required.

**Mr. B. Newman:** Numbers are all it means, really.

**Mr. Speaker:** Do any other hon. members wish to contribute to this debate? Yes, the member for Sarnia.



**Mr. Bullbrook:** Yes, Mr. Speaker, I really don't want to contribute to the debate, but you recall last year, because of the particular wording of the motion, my colleague, the hon. member for Perth (Mr. Edighoffer), who was chairman of the estimates committee, found himself in some difficulty. I am really vitally concerned about the wording of the motion itself, and unfortunately there is only one copy. Do you mind rereading the motion dealing with the fact that there is adequate power within the committee? Do you recall the problem we had, sir, last year—you were going to rule on it—that there is adequate power in the committee to summon all documents that are required for their purposes?

I don't see it in here. Frankly, it is the very problem we had last year. Maybe I'm not reading it properly, and I hate to hold the time of the House but—

**Mr. Singer:** Why don't you take it back and rewrite your motion?

**Mr. Bullbrook:** I'm wondering if the House leader could possibly respond?

**Hon. Mr. Welch:** It says, "the power to send for personal papers and"—

**Mr. Bullbrook:** Thank you very much. It is included.

**Mr. Speaker:** The member for Bellwoods.

**Mr. Bullbrook:** I didn't realize the hon. House leader was omniscient, because sometimes we make mistakes—like last year he made the mistake. He left it out. He left it out last year.

**Mr. Speaker:** Are there any other hon. members to participate in this. Does the hon. House leader wish to sum up or respond?

**Hon. Mr. Welch:** Mr. Speaker, I would like to speak to these two points. I think there has to be a little bit of understanding at the beginning of a session, and if this isn't the way we're to work, I think perhaps we might then have some instructions from our respective caucuses as to how they would prefer that we do work. The House is in complete control of this situation. This is the motion to set up the committees of the House. We had thought that with House leaders appointed from each caucus there was to be some degree of negotiation and discussion which would be taken back to our respective caucuses with respect to the ordering of the businesses of the House.

The House leaders met some days ago—it seems like at least two weeks ago—and we discussed all of these matters to provide ample opportunity for them to go back to their caucuses and to ascertain whether or not these arrangements were satisfactory. The point being that if, in fact, there was some way to avoid undue delays in getting on with the people's business here, we could have that opportunity to do it.

**Mr. Nixon:** Why didn't you call the Legislature back a couple of weeks ago?

**Mr. Reid:** Why didn't we come back in January?

**Mr. Speaker:** Order please.

**Hon. Mr. Welch:** I must say this, we don't have this particular problem with the official Opposition. I always know where we stand with the official Opposition in this House.

**Mr. Nixon:** You are always in bed with them.

**Mr. Roy:** Why do you take the time of the House with that? Just answer them.

**Mr. Speaker:** Order please. The hon. House leader has the floor.

**Hon. Mr. Welch:** If, in fact, we're simply being told there is no way to arrive at some consensus from the third party's group, and we're going to go through this all the time, I can assure them that it just will make it that much more difficult to order the business of the House.

**Mr. R. S. Smith:** Are you trying to remove the rights of the individual members?

**Hon. Mr. Welch:** If the third party doesn't want a regulations committee, then why don't we just dispense with the regulations committee?

**Mr. Bullbrook:** He will send you back to run Wintario.

**Hon. Mr. Welch:** Wait a minute. The point is, the rules call for the—

**Mr. Speaker:** Order please.

**Hon. Mr. Welch:** The point is, we are advised that this is a statutory requirement, to have a standing committee.

**Mr. Nixon:** You will have to change the law, Bob.

**Mr. Reid:** You were just advised.

**Hon. Mr. Welch:** It just indicates the amount of co-operation that exists between the two parties.

**Mr. MacDonald:** You know where we stand.

**Hon. Mr. Davis:** You obey the law and they don't, is that it?

**Hon. Mr. Welch:** It is sufficient to say at this point that, really, perhaps the simplest way is to leave the motion the way it is, constitute the committee, as the member for Wilson Heights so correctly pointed out—although I resent the fact that it was sort of thrown to the Liberal Party as a pawn.

**Mr. Singer:** Well it was.

**Hon. Mr. Welch:** The member wasn't at the meeting. In fact, it is quite obvious that all he does is wait for the member for Kitchener (Mr. Breithaupt) to go to the meeting and then he harpoons him after he has been to the meeting making agreements.

**Mr. Singer:** I come to some of my best conclusions if I am not at the meeting.

**Hon. Mr. Welch:** I wouldn't take the member for Kitchener's job for three times the salary, working with you guys.

**Mr. Roy:** How good are you in controlling Smith over there?

**Hon. J. R. Smith:** We are good neighbours, Albert.

**Mr. Speaker:** Order please. Order.

**Hon. Mr. Welch:** The member for Hamilton Mountain (Mr. J. R. Smith) is in control of himself. There is no question about that.

**Mr. Roy:** That is why he apologized today.

**Mr. Speaker:** Will the hon. House leader continue. Thank you.

**Hon. Mr. Welch:** Why don't we let the committee go ahead? The members are going to check and if, in fact, the Camp commission studying the whole committee structure has some other ideas, then we can perhaps discuss them at that time.

On the question of substitution, I don't know how else we can really run an orderly shop without having some indication at the beginning of the meeting who is, in fact, representing who for the purposes of the vote. I think we've taken 15 minutes to

discuss these matters, which is just some indication on the part of a couple of members that they didn't want their House leader to recognize that, notwithstanding the agreements he makes, they reserve the right to appeal here in the House.

[3:15]

**Mr. Singer:** What is the matter? Did they ignore you, too?

**Hon. Mr. Davis:** No such problem.

**Mr. Speaker:** Order, please. Is it the pleasure of the House that this motion carry?

Motion agreed to.

**Hon. Mr. Welch** moved that a select committee of 12 members be appointed to prepare and report with all convenient dispatch a list of members to compose the standing committees ordered by the House, such committee to be composed as follows:

Mr. Villeneuve, chairman; Messrs. Belanger, Germa, Good, Hall, Hodgson, Lane, Lawlor, Makarchuk, McNeil, Moffatt and Worton.

Motion agreed to.

**Mr. Bullbrook:** Does the chairman of that get \$2,000.?

**Mr. Singer:** Yes.

**Mr. Bullbrook:** Does he really? That is obscene.

**Mr. Speaker:** Are there any further motions?

Introduction of bills.

#### KIRKLAND LAKE BOARD OF EDUCATION AND TEACHERS' DISPUTE ACT

**Hon. Mr. Wells** moved first reading of bill intituled, An Act respecting the Kirkland Lake Board of Education and Teachers' Dispute.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wells:** Mr. Speaker, I think I gave an explanation before the orders of the day about this bill. I understand that an arrangement has been made that we will begin debate on it tomorrow and, hopefully, secondary schools in Kirkland Lake will be open next Monday.



## REPRESENTATION AMENDMENT ACT, 1975

Hon. Mr. Welch moved first reading of bill intituled, An Act to amend the Representation Act, 1975.

Motion agreed to; first reading of the bill.

Mr. Nixon: This is establishing the constituency of "Sanity Island."

Hon. Mr. Welch: Mr. Speaker, this amends the schedule of the Act changing the names of two electoral districts, Durham North, by this legislation, will now be known as Durham-York. And the electoral district of Welland will be known as the electrical district of Welland-Thorold.

Mr. Samis: "Electrical?"

Hon. Mr. Welch: Electoral; did I say "electrical?"

Hon. Mr. Davis: I was there the other day.

Mr. R. S. Smith: Is this the important business we have to get on with?

Mr. Speaker: Order, please.

## PUBLIC COMMERCIAL VEHICLES AMENDMENT ACT

Hon. Mr. Snow moved first reading of bill intituled, An Act to amend the Public Commercial Vehicles Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Snow: Mr. Speaker, this bill has really two provisions. One, it amends the requirements for vehicles hauling ready-mixed concrete having public commercial vehicle licences. The second provision deals to some degree with the one-way trip leasing of trucks over 28,000 lb.

## MEMBERS OF COMMODITY BOARDS ACT

Hon. W. Newman moved first reading of bill intituled, An Act respecting Members of Commodity Boards.

Motion agreed to; first reading of the bill.

Hon. W. Newman: Mr. Speaker, the purpose of this bill is to prohibit a person from being a member or continuing to be a member of a commodity board while he or she is in violation of its own regulations and rules.

Mr. MacDonald: It's what you call a Joe Hodgson amendment.

Hon. W. Newman: On the contrary—

## DRAINAGE AMENDMENT ACT

Hon. W. Newman moved first reading of bill intituled, An Act to amend the Drainage Act, 1975.

Motion agreed to; first reading of the bill.

Hon. W. Newman: Mr. Speaker, this is basically an Act to allow us to use a lawyer with 10 year's experience or more when we can't find a judge to sit as a referee.

## TERRITORIAL DIVISION AMENDMENT ACT

Hon. Mr. McKeough moved first reading of bill intituled, An Act to amend the Territorial Division Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McKeough: Mr. Speaker, this is purely a technical amendment intended to bring the Territorial Division Act up to date in regard to a minor point of wording. In the passage in question the Act deals with territory around the head of Lake Ontario and refers to townships in that territory. Since there are no longer any townships there, this amendment simply substitutes the term "local municipalities".

## LOCAL IMPROVEMENT AMENDMENT ACT

Hon. Mr. McKeough moved first reading of bill intituled, An Act to amend the Local Improvement Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McKeough: Mr. Speaker, this amendment provides the municipalities with greater flexibility in the arrangements they may make for the financing of local improvements along boundary roads, in which the member for York South (Mr. MacDonald) has some interest.

## NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT AMENDMENT ACT

Hon. Mr. McKeough moved first reading of bill intituled, An Act to amend the Niagara Escarpment Planning and Development Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** Mr. Speaker, the amendments in this bill deal with the administration of the Act. Under the first amendment in this bill, responsibility for the administration of the Niagara Escarpment Planning and Development Act, 1973, is transferred from my ministry to the resources development policy field by means of a re-definition of the term "minister" as used in the original Act.

This transfer of responsibility is simply a reflection of the fact that the Niagara Escarpment Commission is now thoroughly established and is moving ahead on its plan for the Escarpment and the surrounding area and is therefore concerned with the broader issues of policy that are also of concern to the Provincial Secretary for Resources Development.

A second amendment establishes the commission as a legal entity with the power to appeal various matters to the Ontario Municipal Board and to the courts.

A third amendment clarifies a point that was strongly implied but not specifically stated in the original Act in respect to the status of municipal bylaws in instances where development control has been imposed and then withdrawn. Under this amendment, which is retroactive to June 10, 1975, municipal bylaws which have been set aside during the period of development control are automatically restored once development control is lifted.

The fourth and final amendment to this bill deals with another aspect of the administration of development control. This amendment removes the element of what one might call personal licence from the right to develop a given piece of land so that the right to development, once granted, runs with the land regardless of who may assume ownership of that land. This change is based on a principle that is widely recognized as being in keeping with good policy and practice in regard to development control in the broadest sense of the term.

#### GIFT TAX AMENDMENT ACT

**Hon. Mr. Meen** moved first reading of bill intituled, An Act to amend the Gift Tax Act, 1972.

Motion agreed to; first reading of the bill.

**Mr. Reid:** I thought you said we weren't going to have much legislation?

**Hon. Mr. Meen:** Mr. Speaker, the major purpose of this bill is to provide an exemption from tax under the Gift Tax Act for

contributions made in accordance with the Election Finances Reform Act, 1975.

A second amendment in the bill would restrict exemptions from tax to those recipients of a gift who are resident in Ontario. It also stipulates that the aggregate of exemptions claimed by a donor with respect to gifts of shares in a small active business corporation which is also a farming corporation cannot exceed \$75,000 so that two exemptions cannot be claimed for the same gift.

The third and final amendment is a tax simplification measure which will remove the requirement for filing returns under the Gift Tax Act, 1972, and paying tax thereunder when an allowance or refund of tax will occur under the recapture provisions under the Succession Duty Act. This will avoid the payment of gift tax which would subsequently be refunded in any case.

#### INCOME TAX ACT

**Hon. Mr. Meen** moved first reading of bill intituled An Act to amend the Income Tax Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Meen:** Mr. Speaker, the major amendment in this bill parallels federal amendments to the foreign tax credit provisions of the federal Income Tax Act. The amendment is required under Ontario's income tax collection agreement with the government of Canada.

The second provision shifts the calculation of the provincial tax reduction from tax payable to taxable income for Ontario residents paying \$61 or less in Ontario income tax.

The final provision alters the taxation year for which tax credits can be claimed so that, for example, an Ontario resident who became a bankrupt and who turned 65 years of age in a particular calendar year is not precluded from claiming his pensioner tax credit for that year.

#### EMERGENCY MEASURES REPEAL ACT

**Hon. Mr. MacBeth** moved first reading of bill intituled, An Act to repeal the Emergency Measures Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. MacBeth:** Mr. Speaker, the title of the bill is self-explanatory.

[3:30]



### BLIND PERSONS' RIGHTS ACT

Hon. Mr. McMurtry moved first reading of bill intituled, An Act to provide for Certain Rights for Blind Persons.

Motion agreed to; first reading of the bill.

Hon. Mr. McMurtry: Mr. Speaker, this Act prohibits the barring of trained guide dogs accompanying a blind person in any public accommodation, facility or service, or in the occupancy of any self-contained dwelling unit. This act will replace the present White Cane Act and will significantly extend the rights enjoyed by blind people in Ontario.

### COUNTY COURT JUDGES AMENDMENT ACT

Hon. Mr. McMurtry moved first reading of bill intituled, An Act to amend the County Court Judges Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McMurtry: Mr. Speaker, this amendment is complementary to recent amendments to the federal Judges Act. Its purpose is to extend to county courts the procedure now available in Supreme Court whereby a retiring judge may elect to hold office as a supernumerary judge and thus be available for further judicial work.

### JUDICATURE AMENDMENT ACT

Hon. Mr. McMurtry moved first reading of bill intituled, An Act to amend the Judicature Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McMurtry: Mr. Speaker, the purpose of this amendment is threefold. It increases the number of judges of the High Court by five, from 31 to 36 judges. It extends to the divisional court the provisions now applicable to the Court of Appeal whereby a judgement of the court may be rendered notwithstanding the death, resignation or retirement of one of the judges who heard the appeal. It also extends to the divisional court the ability now enjoyed by the Court of Appeal to have a single judge of the court dispose of in chambers procedural and technical issues instead of having them dealt with by the whole court, in open court.

### EVIDENCE AMENDMENT ACT

Hon. Mr. McMurtry moved first reading of bill intituled, An Act to amend the Evidence Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McMurtry: Mr. Speaker, the amendment removes any doubt that might exist about the propriety of using as evidence in any action or proceeding an affidavit sworn before or in the office of the solicitor of a party to the action or proceeding.

### SURROGATE COURTS AMENDMENT ACT

Hon. Mr. McMurtry moved first reading of bill intituled, An Act to amend the Surrogate Courts Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McMurtry: Mr. Speaker, this provision actually is a repeal of a provision which provides for additional allowances paid by Ontario to county court judges in respect of surrogate court work load. The repeal of this provision is necessary by reason of federal legislation which provides for such allowances. The additional allowances in respect of provincial duties are now all contained in the Extra-Judicial Services Act.

### PUBLIC AUTHORITIES PROTECTION AMENDMENT ACT

Hon. Mr. McMurtry moved first reading of bill intituled, An Act to amend the Public Authorities Protection Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McMurtry: Mr. Speaker, briefly, the amendments provide as follows: Firstly, the provision amended prescribes a limitation period of six months for actions against public authorities. The amendment changes the time of when the period commences to run from the time the act was done to the time the cause of action arose to ensure that actions are not excluded when consequential damages do not occur until a later date. In other words, there may be an act or omission which occurs on one day but the actual damage which gives rise to the cause of action may not occur until some months later. This is to extend the limitation period accordingly.

Further, the proposed amendment also allows the limitation period under the Limitations Act, which is six years after the cause of action arose, to apply to proceedings against a sheriff for an error in certifying as to a writ of execution which binds land, and to proceedings against a land registrar for an error in performing his duties under the Registry Act or the Land Titles Act.

Finally, the amending legislation will permit actions to be brought under the pro-

posed amendments even though they are presently statute barred.

### ONTARIO LOTTERY CORP. AMENDMENT ACT

Mr. Burr moved first reading of bill intituled, An Act to amend the Ontario Lottery Corp. Act, 1974.

Motion agreed to; first reading of the bill.

Mr. Burr: Mr. Speaker, the purpose of the bill is to allow the profits from Wintario to be used to support any non-profit project of any community-based organization.

Mr. Speaker: Before the orders of the day, I wish to inform the House of an unfortunate incident which occurred during the interval between sessions. On Jan. 20, at approximately 4 o'clock in the morning, a fire broke out in the vault in the office area of the Clerk of the House.

Primary investigation by the fire marshal indicated that the cause of the fire was a non-thermally protected ballast in a fluorescent light fixture. However, subsequent laboratory examination has not been able to pinpoint the exact cause of the fire.

Considerable damage was done to some of the records of the House, principally from 1968. However, I'm happy to report to the House that the provincial archives personnel report the majority of the documents lost will be replaceable. Because of the time required for electrical and construction work to be carried out in the fire area, members may experience some delay in obtaining copies of documents they would normally receive from room 110. However, the Clerk of the House has assured me that every effort will be made to maintain the usual service.

I'm sure the members of the House would want me to express their gratitude to their city of Toronto fire department, personnel of the Ontario Government Protective Service, the Ontario fire marshal's office, the Ministry of Government Services and particularly to the conservation staff of the provincial archives who are continuing to work diligently on the restoration of the sessional papers of this House. It was through the diligence of patrol superintendent George Sloan of the protective service that this building escaped more serious damage, which could indeed have been disastrous.

Orders of the day.

Clerk of the House: House in committee of supply.

### SUPPLEMENTARY ESTIMATES, MINISTRY OF HEALTH

Mr. Chairman: Does the hon. minister have an opening statement?

Hon. F. S. Miller: A very brief one, Mr. Chairman. As members are keenly aware, the costs of health care in Ontario, as in the rest of the world, have been rising at an extraordinary rate.

During the earlier part of this year a great deal of news coverage and discussion centred on my ministry's very necessary constraints programme. While savings have been achieved within the ministry already, and the savings in the system will be achieved in the coming year, certain supplementary funds are required in the current fiscal year.

For hospitals we will need an additional \$85 million, and payments by OHIP will cost an additional \$18.5 million, for a total of \$103.5 million. The original estimate of \$723,972,200 for payments under the Ontario Health Insurance Plan provided for a 3.5 per cent increase in the use of medical services. However, the actual increase experienced this fiscal year is about seven per cent, or 3.5 per cent above the rate provided for in the 1975-1976 estimates. Consequently, supplementary funds in the amount of \$18.5 million are required to provide for this 3.5 per cent increase.

In the estimates, no provision was made for the Ontario Nurses Association wage settlement. From July 1, 1975, to March 31, 1976, this settlement will cost \$35 million. I might add here that the cost for a full year is estimated at \$63 million. As may be expected, with the advantage of hindsight the allowance for inflation during the year was underprovided. The inflation allowance contained in my 1975-1976 estimates represented 12.6 per cent for the fiscal year, exclusive of nurses' salary adjustments. These figures have been reassessed at 16 per cent to Dec. 31 and 10 per cent from then to March 31, 1976. An additional \$34 million will be required for these and other salary adjustments.

[3:45]

There were also some necessary commitments for which no provision was made in the estimates. These account for the balance of the \$85 million and include such items as the hospitals of Ontario pension plan,



\$2.9 million; transfer of psychiatric services from Oxford Regional Retardation Centre to Woodstock General, \$203,000; incentive payments to the hospitals for 1973, \$1,323,000; and the Canadian Red Cross blood transfusion service, \$2,669,000.

Finally I would like to say a word about our hospitals. Despite budgets already strained by earlier constraints, the hospitals in Ontario managed to live within one per cent of their global budgets this year. I have to say that's a pretty good achievement, considering the size of the system.

The need to restrain advancing health care costs has forced everyone in the health system to be more imaginative, innovative and productive during the past year. Our recently announced constraints package will draw the lines even closer, but I am confident that, with the kind of people and the kind of facilities we have in Ontario, the public will continue to enjoy the benefit of the finest health care system in the world.

**Mr. Chairman:** If it is agreeable with the House, the two critics for the respective opposition parties will be allowed, hopefully, a brief opening statement on the supplementary estimates generally, with a brief response from the minister. Then we will get into the two items that we have to cover separately: health insurance, and general hospitals and related activities. Does the member for the official opposition have an opening statement?

**Mr. Sargent:** Mr. Chairman, did you say two speakers?

**Mr. Chairman:** The two lead-off speakers.

**Mr. Sargent:** We have a number of speakers.

**Mr. MacDonald:** You have only one lead-off speaker.

**Mr. Ferrier:** You have a lot of speakers over there.

**Mr. Chairman:** There will be two lead-off speakers who will speak to the estimates generally, and then we will get into the separate votes.

**Mr. Nixon:** Just before we proceed, Mr. Chairman, are we to understand that after the lead-off speeches from the two opposition parties, any member can participate in the votes as you call them, expressing their views and getting further information?

**Mr. Chairman:** Precisely.

**Mr. Sargent:** I am not clear. Do I understand, Mr. Chairman, that the third speaker cannot go into it full steam, or does he just speak to a certain vote?

**Mr. Nixon:** Well, he'll have to establish the background to make the request clear.

**Mr. Chairman:** That's right.

**Mr. Sargent:** Why do you draw it at two, Mr. Chairman?

**Mr. Chairman:** What the Chair is trying to establish is that there will be an official party position by the lead-off speaker for the official opposition and then one for the Liberal Party, at which time, if the Minister wishes, he can reply. Then we will deal with the two specific items, Nos. 1 and 2, where anybody will be given an opportunity to speak to those specific votes.

**Mr. R. S. Smith:** On a point of information, Mr. Chairman, as far as the two items are concerned—one is health insurance and the other general hospitals and related activities—are you going to allow debate on the provincial laboratories on the first item and the hospitals generally in the second item?

**Mr. Chairman:** Anything dealing with OHIP payments will be dealt with in the first vote.

**Mr. Nixon:** That's pretty general.

**Mr. Chairman:** The hon. member for Parkdale.

**Mr. Duksza:** We in the New Democratic Party agree wholeheartedly with the minister that health care in Ontario could be made more efficient. As anyone with common sense understands, efficiency can be achieved in one of two ways: One, service can be maintained at present levels and costs lowered; or, two, costs can be maintained at present levels and services improved. Yet it is also clear to every person of common sense that the minister's recent actions achieve neither of these objectives. The policies, if they deserve that title, are irrational and inefficient. He intends to reduce services significantly and he will fail to achieve any significant saving in cost. He attempts to mislead the public into believing he will rationalize costs and services, when in fact he will do neither.

Instead of attempting genuine improvements, the minister is simply pursuing political expediency. We must not be deceived by the minister's present performance. He is attempting to transform his government's image from that of being a spendthrift and

deplorably lax administration to a tight, tough budget-conscious government wanting to trim that budget even in the face of personal abuse and political opposition.

The recent cutbacks in social services and health services do not so much undermine the system as they represent a non-system, an absence of social policy. The programme of social services provided by the government of Ontario has always been unplanned, underfinanced, fragmented and fundamentally without any set of social objectives. The system is a catastrophic bureaucratic failure and the Premier (Mr. Davis) and his ministers must take responsibility for the system-wide impact of their policies. By this I mean not only an evaluation of the functioning of the total health care system but of the broader social service system.

Now let us examine in more detail the so-called savings. In its announcements on restraint programmes involving both bed closings and dismissal of staff, the ministry provides data about the supposed savings. Typically, with that accountant's mind of his, the minister goes into no discussion of people, work lost, opportunities wasted and human misery—only figures which, as in the past, reflect not financial reality but only the obfuscating and tendentious wish-fulfilment of the minister and his incompetent but expensive gnomes at the Ministry of Health.

The minister has closed the 10 following active treatment hospitals: Chesley; River-view; Doctors; Virgil; Durham Memorial; Willett; Oxford (with the nursing home not affected); Hillcroft; Copper Cliff, and Clinton. He has closed two psychiatric hospitals, Goderich and Northeastern. He has closed four public laboratories. In addition, he has reduced the number of beds in 36 other hospitals and has reduced staff in 69 hospitals. The minister wants us to believe that these actions will save \$40 million. The fact is that these so-called savings will not be real at all.

First of all, Mr. Miller is going to give most of this money back to doctors in—

**Mr. Chairman:** I must remind the hon. member that you refer to another member either as the member for Muskoka or the Minister of Health, not by his surname.

**Mr. Duksza:** The hon. Minister of Health, okay.

**Mr. MacDonald:** The Minister of Health, anyway.

**Mr. Duksza:** —back to the doctors in the form of an 8.1 per cent fee schedule increase. Where, then, are savings?

Secondly, because of the staff reductions caused by these cutbacks, taxpayers will be forced to pay out more in the form of federal unemployment insurance benefits. In other words, what we will have in tax dollars at the provincial level is going to cost us more at the federal level due to increased unemployment. Is this a source of saving?

When all the health cuts are effected, there will be over 3,000 health employees out of work yet the provincial government would have us believe that unemployment resulting from the cutbacks will not be a serious problem.

The Treasurer (Mr. McKeough) also has demonstrated his incredible incapacity for compassion and understanding by sloughing off the employment forecast for these 3,000 hospital workers, comprising nurses, nursing assistants, service staff, etc., as not being all that distressing. The Treasurer has suggested that nursing positions in Ontario show a 25 to 50 per cent turnover rate per year, thereby providing ample opportunity for the recently dismissed employees to find positions within a couple of months' time.

Not only is this suggestion unfounded, it is both cruel and preposterous as the following findings show. The Ontario Hospital Association in its newsletter of Jan. 30, 1976, reported the results of its personnel research study to which replies were received from 66 per cent of all hospitals, representing 73 per cent of rated beds.

This study indicated that out of a total of 43,965 positions in 19 categories of hospital work, including nurses, only 554 were currently unfilled. That is a vacancy rate of 1.26 per cent. Of the 21,199 positions for nurses only 172 were unfilled, a vacancy rate of 0.81 per cent. If we assume the other hospitals which did not report have the same vacancy rates, there are 759 jobs available in 19 categories—including nurses—of which 246 jobs are for nurses specifically, whereas there will be 3,000 people knocking at the door.

The turnover rate that the Treasurer has alluded to is caused by nursing staff moving from one job to another in the health field, not moving outside to other jobs. It is therefore ridiculous to assume that cutting out 3,000 positions will not increase unemployment drastically.

The Minister of Health has stated that he will establish a committee to arrange admitting rights in other hospitals for physicians from the closed hospitals. But what of the hospital staff who will not be provided with similar opportunities? Are they going to find jobs elsewhere? The prognosis is bleak, even



according to Donald Robertson, spokesman for provincial hospital administrators.

Mr. Chairman, let us examine the levels of health care service beginning with hospitals. The hospital system in Canada has been over-financed relative to the rest of the health care. Historically, this arose for a couple of reasons.

First, hospital services were the first health services to be widely insured. Thus, to take full advantage of hospital insurance coverage both doctors and patients tended to use hospitals for general primary care. Second, hospital services are cost-shared with the federal government and have been since the mid-1950s. Many alternative services have not been. Thus there exists an incentive to over-finance hospitals. In the boom years of the 1960s this is what the Tory government chose to do. Now, in lean times, it cuts back.

After 20 years of going along with the hospitals' empire-building and their desire to become the focus of outpatient care as well as bed-patient treatment, the ministry now turns around and closes down hospitals as if they were just beds. But what happens to the thousands of people for whom those hospitals provide all their health care? Those hospitals, in other words, which have been successful over the years in endeavouring to provide more than bed-patient treatment? What happens also to the people presently using hospital beds for lack of nursing homes and other chronic care facilities?

What the government has chosen to ignore is that hospitals, and particularly the community hospitals which the minister is closing, are much more than beds. They are also places where people go to see doctors, where people get their primary medical care. The province should know this having supported, as I said just now, these hospitals' efforts to become centres for all health care.

Hospitals have contended that they are the logical places from which to offer such care because they have the experts on their staff and they have had the experience. The province has agreed, giving hospitals the money to run family practice clinics and community health clinics which are really hospital-based, general practice clinics.

People served by these hospitals are losing far more than just beds.

Further, although most people would not argue with the minister's assertion that we do have an excess of active treatment beds, the question is far more whether these beds are appropriately distributed, both by geographic and specialty placement, throughout the prov-

ince. Yet this issue is one which the rationale for the present cutbacks at no time addresses.

Also, at present these excess acute care beds are often being used inappropriately and expensively to serve people who need nursing care for chronic conditions, because there is a severe shortage of chronic care facilities. But the programmes that were already promised for home nursing, meals-on-wheels and other less expensive alternatives are also cut back. With acute care beds cut back to "rational" levels chronic patients who are now in those beds, however inappropriately and expensively, will have nowhere else to go.

In addition to being hospital-intensive, the present system is also specialist-intensive. This is another area which the Conservatives have never addressed themselves to. Specialists require expensive hospital facilities. Specialists cost a lot of money to train. Specialists make a great deal of money. Yet the current cutbacks in hospital beds are not generally being made in the expensive specialist hospitals but, by and large, in the smaller hospitals which provide both primary and secondary care.

Education in the health services is related to both these factors: It is hospital-based and specialist-focussed. Nurses get their practical training in hospitals; doctors get their training in the most expensive and specialized settings imaginable. How in heaven's name can we expect there to be a shift in current health practice patterns when all the personnel are trained to perpetuate these patterns?

[4:00]

Let me expand on this point a little. The capital grants programme of the Ministry of Health favours the building of teaching hospitals. These are highly specialized and, without exception, are based in urban areas. They encourage a distortion in the spending of health dollars. The teaching hospitals in Toronto have been engaged in warfare for beds; facilities; hardware; and teaching privileges. There has been a move to concentrate medical teaching in Sunnybrook Hospital. As a result, Sunnybrook has embarked on building more expensive facilities while of course there already exist complete surgical units, tertiary care, beds and teaching facilities in all Toronto teaching hospitals. The ministry has obviously gone along with this approach: in that damned, topsy-turvy fashion of theirs, in this year of restraint, they propose to fork out more money for extra and largely tertiary care surgical facilities, which Toronto needs like a hole in the head, while the much-needed community services provided by Doctors Hospital are being abolished.



Does, in fact, the left hand ever know what the right hand is doing at the Ministry of Health? How can the minister close 319 beds at Doctors Hospital, beds which have an 83.9 per cent occupancy rate and cost \$98 per day, and a fully functioning surgical unit, and then in turn match half a million dollars given by the federal government to provide additional space for an operating room and laboratory in the hospital teaching unit at Sunnybrook Hospital? Sunnybrook has already renovated, at great cost, a 215-bed ward which is empty for lack of money for staff.

The same things are going on with psychiatric care. The closing of psychiatric hospitals and beds, with a significant reduction of staff, will diminish the ambulatory services provided, such as community-based industrial therapy workshops and also the quality of outpatient supervision which is necessary to keep psychiatric patients ambulatory and in the community.

The minister has approached this problem like an accountant dealing with furniture appraisals as he juggles bed counts with treatment appraisals. On Feb. 2 of this year he himself said: "I can weigh life or good health against dollars." This approach has not led him into selective examinations and pruning of a system based on a rational analysis of the need, the deficiencies and excesses, but into cuts in those areas of health which are either the easiest to cut or are highly visible, or are obviously correlated with quick returns.

A ministry that chooses the management function of using balance sheets over improving health care and saving lives is bereft of any sense of morality. It is clear that the minister has chosen this approach because he feels uncomfortable grappling with the real health costs, which involve the physicians. OHIP payments to physicians in 1974 totalled nearly \$600 million, or 25 per cent of the total cost of health in the province. This is a quote from the Minister of Health's "A Financial Strategy for Ontario Health Services, 1976-1980," page 1, appendix 2:

Next to hospital staff, physicians represent the largest component of expenditure in the health system and are, therefore, of primary importance in terms of developing a strategy for controlling growth.

This document from the ministry, however, says that it is too complex and politically sensitive an issue to deal directly with these costs. Let me quote again:

While wage and fee schedule settlements affect the operating cost of health services

more than any other factor, this component of the strategy has not been considered in any further detail . . . because of the complex and sensitive political issues normally involved.

Actual OHIP fee-for-service payments per registered physician in 1974 were \$42,650. According to the document I just quoted from, the ministry projects the following: that in 1976 there will be 15,084 projected registered physicians in Ontario, with a forecast average OHIP payment of \$49,200, which by 1980 will have been raised—in projected figures—to 17,436 registered physicians earning an average of \$72,000. The actual OHIP payment of \$42,650 in 1974 is very low compared to the average physician's gross income as indicated by tax figures. That is because the ministry's estimates divide OHIP payments by all registered physicians in this province, and not just by those who bill OHIP—i.e., physicians who are teaching, on salary, and so on.

The key difficulty with OHIP has been that what started as a compromise between the interests of the consumers and the interests of the providers of health—i.e., the provision of universal health care financing while at the same time preserving a degree of professional independence for the physicians—has ended up as a system with no in-built controls over the way the bills are presented and consequently over the way the money is disbursed.

There has been virtually no control over whether or not the physician has actually performed a service. It is reasonable to assume that physicians, like the recipients of welfare, on the whole do not cheat. However, there is a more insidious distortion that occurs and that is one which is perfectly legal under OHIP rules. The physician can ask or "order" his patient to submit to further tests, repeat visits and consultations. All in the name of better health care, but often in reality an unnecessary repetition of services costly to the community but profitable to the physician.

The present method of paying doctors, fee-for-service, is an essential and unquestioned element of the present medical system. But it is a barrier to the lowering of medical costs. It links the patient's treatment to the physician's financial motives, and places the physician in a conflict of interest situation. He has no motivation to reduce his costs of service; on the contrary, he is motivated toward a perfectly honest overproduction of his services.

The rate of surgery involving non-vital organs has been estimated at 70 per cent to 100 per cent or more higher for doctors paid



on a fee-for-service system, as compared with those on a salaried system. Thus, we have far greater numbers of appendectomies, tonsillectomies, and surgery involving prostate and haemorrhoids. The only way to explain why there are so many more of these types of operations is the financial incentive to do them. Doctors on fee-for-service are pushed toward rapid, routine operations and surgery rather than toward more thorough examination and diagnosis of the patient's condition. There is no incentive for doctors to participate in health teaching and preventive measures, or to trace the medical history of their patients.

Another contrast between salaried and fee-for-service physicians is the lower hospital utilization rate by the former. Patients of salaried physicians spend 20 per cent to 30 per cent less time in hospital than does the total population. The present fee-for-service system actually encourages doctors to over-hospitalize patients. With patients concentrated in one hospital and with laboratory and medical personnel readily available without charge, the doctor is able to increase the rate of his visits and reduce his average costs and office expenses to a minimum.

Mr. Chairman, now that we have demonstrated that the minister will not achieve any real savings in cost, nor improve services, we must ask why he chooses to act as he does. It is now perfectly clear why he has to have savings of \$50 million. He wants to give it to the medical doctors.

Health care spending is controlled by doctors. Virtually every single service which the Minister of Health budget pays for is accessible only through a doctor. Why then, to cut spending, are we cutting hospital beds, public health laboratories and psychiatric services?

The closing of Goderich and Northeastern psychiatric hospitals will save supposedly nearly \$9 million. The several hundred patients from Timmins or South Porcupine, when in need of psychiatric care, will have to take an ambulance, train, get a police escort, or walk the 220 miles to North Bay Psychiatric Hospital or a psychiatric unit in a general hospital.

The 89 employees dismissed from St. Thomas Psychiatric Hospital can, after all, go on unemployment; that is not paid by the provincial but by the federal government.

The 61 employees dismissed from Hamilton are generally psychiatric nursing assistants, not doctors, so maybe they don't count as much.

The Woodstock public laboratory and other public laboratories have to be closed because, after all, the owners of private labs have to make more money.

Doctors Hospital in Toronto is to be closed. After all, many of the patients there do not speak English so they won't complain all that much.

But we in the New Democratic Party, Mr. Chairman, are complaining. In place of the minister's spurious policies, the New Democratic Party believes very strongly that, even if beds need to be closed, it should not be done by fiat from Queen's Park. The local community must have a say. There has been no local involvement in the decisions which the minister has been announcing.

In no way has the minister addressed the issue of over-production, which is so fundamental to runaway costs. No guidelines or incentives have been set up toward providing efficient, widely available health care. Rather, the opposite has occurred and our present system has many inducements that work toward increasing costs and providing the most expensive care.

It is the doctors providing health care on a fee-for-service basis who decide what services will be given and how often. They decide who goes to hospital and for how long. Records show a fantastic increase over the past few years in the number of services per patient—in fact, gross over-utilization of services—and this is the fault of the medical profession and not of the patients. Any health insurance programme built on the principle of the more services, the more fees, is bound to encourage runaway costs.

Hospital beds cannot be closed without planning and implementing alternative community-based services. Provision of such alternative services would ensure that patients currently in hospital would not be left without care and that people now employed in hospitals could be retrained and employed elsewhere in the system. To close beds with such a blatant disregard for patients and employees is totally unacceptable. Alternative services must be ready before closings occur.

Hospitals have emerged as primary care centres in many communities, but this is probably an inappropriate use of hospitals. New Democratic Party policy in this area has always been clear: The active development and support of community-based primary services which in the short term, and more importantly also in the long term, will reduce the need for expensive hospital care. Many of these primary services and preven-



tive measures could be performed by nurses or other aides more cheaply than by physicians. Increased attention to preventive medicine is vital to the health of the public as well as to the health of the government budget.

But here again let me repeat that although using hospitals as primary care centres may be inappropriate, and although one in five patients should not be in a hospital bed but in a nursing home or investigated on an ambulatory basis, we cannot simply throw him or her out to fend for himself or herself. Let me repeat: There is no alternative at this time for dealing with this type of problem outside of the hospital.

At no time does the minister attempt to redress the imbalance between the highly serviced and very expensive teaching hospitals in urban areas and the poorly serviced rural areas. Why doesn't the minister talk of shifting the focus of medical education away from the large urban hospitals? Students trained in smaller centres would be more likely to return to those settings. The presence of students in smaller communities would encourage an examination of the kind of care the communities are getting. Decentralizing teaching would allow a redistribution of tax dollars away from the cities, a redistribution of our health priorities so that they are relevant to the whole province.

Finally, instead of hinting at increasing our regressive OHIP premiums, is the minister not aware that residents of Ontario are already paying the highest health insurance premiums in Canada? The Maritime provinces, Manitoba and Saskatchewan all have no premiums at all. Why should one of the richest provinces in the country continue to charge premiums which are regressive rather than to finance health care from general revenues which are collected in at least a somewhat more progressive fashion?

Any increase in premiums surely affects one sector of society more than others—the working poor and our more disadvantaged, who do not have the cushion of “company benefits” to defray premium costs. Any increase in premiums is unjust and unfair most of all to that one sector of our population that can least afford to lose yet another chunk of income.

The Minister of Health has embarked on this restraint programme through an abuse of power, never once appearing before this House for advice or consent. He claims that this so-called rationalization of services will serve to hold down rapidly escalating costs. If the minister is indeed concerned with

saving money, then let him respond to the following few more pertinent questions:

1. What is the minister doing to provide alternative forms of care to replace the hospitals he is closing?

2. What thought is being given to the hundreds and thousands of people being put out of work? There won't be other jobs for these people within the health system. They are trained in health care and health care is being cut back.

3. What is the government doing to directly influence doctors' behaviour to minimize excessive use of expensive facilities?

4. What consideration is being given to local communities and their perception of their own needs? Why are these decisions being made in a centralized, arrogant and secretive way without any reference to those who will be affected?

5. Why is the minister demonstrating his intention to cut back, if not cut out entirely, the training programme for nurse practitioners? Is the minister blind to the obvious savings that the nurse practitioners' services could mean in the delivery of health care?

[4:15]

**Hon. Mr. Rhodes:** Mr. Chairman, on a point of order, I recognize that the hon. member has completed his remarks, but I'm wondering if you would rule on Rule 16(a)4 as it relates to the long reading of speeches within the Legislature?

**Mr. Chairman:** You're quite right. The member for Sault Ste. Marie points out that—

**Mr. Sargent:** What are you going to do when we come to your estimates?

**Mr. Chairman:** —standing order 16(a)4 precludes members from unnecessarily reading at length from any document. He wasn't quoting; he was actually reading his speech.

**Mr. MacDonald:** You will live to regret that when we hound every one of your members when he gets up with a written speech. That is sort of a silly intervention.

**Hon. Mr. Rhodes:** Mr. Chairman, I don't know whether it's silly or not. Some of the veteran members of this House prepared these rules and I'm only trying to abide by them.

**Mr. MacDonald:** Mr. Chairman, I know it was prepared by veteran members and I know it's a rule in every House, but I know, for a variety of reasons I won't take time to



elaborate on now, that the rule is often ignored, and more often on your side of the House than on this side. It's that sort of a petty—

**Hon. Mr. Rhodes:** Remove the rule.

**Mr. MacDonald:** Okay, take it out of the rules then. The next time the Premier (Mr. Davis) gets up and reads a lengthy statement and we interrupt him, then you'll regret your obstruction.

**Mr. Chairman:** Order, please. The hon. member for Huron-Middlesex has the floor.

**Mr. Riddell:** In connection with the point or order which was made, I would draw to your attention, Mr. Chairman, that when the minister got up to give his remarks he read his comments, as did the member of the NDP.

**Mr. Kennedy:** Are you reading now?

**Mr. Riddell:** In the absence of my leader, who was unable to participate in this debate this afternoon, as he has quite a heavy schedule—

Interjection.

**Mr. Chairman:** Order, please. The hon. member for Huron-Middlesex has a right to be heard.

**Mr. Riddell:** —and owing to the fact that he is the critic of the health ministry, I know he would like to be here to lead off in the remarks on these particular estimates. However, it does give me a great deal of pleasure in being able to lead off on his behalf.

The fiscal nightmare, which the former Treasurer of Ontario, Charles MacNaughton, referred to in remarks which he made in the House when dealing with the provincial health scheme and its related cost, turned out to be something more than a nightmare. It was a prophecy which came true. It may well be recorded in history as the last of the big spending by the Davis government. Perhaps our children and our children's children might read a chapter in history entitled, "The Fiscal Nightmare of the Ontario Government". It could quite conceivably be recorded in the following way.

In the days when Sir William was ruler of the land called Overspendario, there lived a man whose name was Lord Darcy. He was the keeper of the treasury but like his predecessors he squandered the riches of the land. Sir William did not interfere because

many of his friends became quite prosperous from the contractual tasks which they performed for their ruler.

Then it came to pass that all the treasures had disappeared, and Lord Darcy said unto Sir William: "What do we do? For now here is a shortage of many millions of gold pieces." So Sir William borrowed from other lands at high rates of interest and levied taxes on his own people to repay the loan.

But it was not enough. The only people who had any money left were William's friends, and he did not want to tax them any more. So Sir William said unto Lord Darcy: "No need to worry." And William went to Francis the Great and said: "You are the doctor; you fix it." And Frank said: "Let us close a few hospitals."

Mr. Chairman, you suggested that we try to keep our comments brief. I say to you how can you keep your comments brief when the death knell has been sounded for hospitals in small communities throughout rural Ontario and even for the small community itself? We have been threatened with the closure of 10 hospitals and severe budget reductions and bed closures in over 100 hospitals across Ontario. Strangely enough, the majority of hospitals slated for closure were located in rural Ontario; and strangely enough the hospitals closures in Ontario have nearly all been in non-Conservative ridings. Oddly enough, the major recommendations of the report of the special programme review committee, under the chairmanship of the former federal Auditor General, Maxwell Henderson, suggested that consideration be given to phasing out surplus beds and treatment facilities, particularly in urban areas. I want you to note the words "urban areas". But, no, the minister has chosen to victimize the small communities by closing hospitals which, as a matter of interest, are not the property of the government.

It is my understanding that the legality of such undertakings will, in all probability, be challenged in the courts. So I do not intend to pursue this matter further.

Suffice to say at this time that the community-based hospitals have been a source of considerable pride and the object of more charitable support than most other institutions in the various towns. People have supported these hospitals with substantial gifts during their lifetime and even by their wills, some to the extent of their entire estate.

One man alone, in the Clinton area, made a contribution of \$40,000 to the Clinton

hospital, only to witness the erosion of the faith and self-help attitude that keep the community strong by a process of the Ontario government known as regression analysis.

This is the name given to one of the mathematical techniques used by computer experts to interpret statistics. Such statistics—or the criteria of four beds per 1,000 population—need to be questioned, particularly in rural Ontario where the percentage of older people who live by choice in the smaller communities is much higher than in the larger urban centres. Is it right to deprive the elderly people of the medical attention which they need and depend on at this stage in their lives? This, in itself, is a frightening story of social degradation.

I would like to ask the minister, through you Mr. Chairman, if he paid particular attention to the age group of the people who met him at the doors of the hospitals he visited to announce their closure? It was the old people mostly, because they had the most to lose. Old people, sick people, people with no political power.

Those sick people who were forced out of the Goderich psychiatric hospital, and those who are about to be forced out of the Clinton hospital, have been used as pawns in the game of politics, without regard to their feelings, their families, and in some cases perhaps even their lives.

This is a spectacle which any civilized country must find deplorable and more so, since hospital closures—especially closures of general hospitals—affect mostly the very old and the very young, because they have the most sickness. This mindless, pointless and useless closure of local hospitals has set community against community, hospital board against hospital board and man against man.

My colleague the member for Grey-Bruce (Mr. Sargent) refers to it as divide and conquer. If, as it almost appears, the provincial government is waging war on its own people, then it is the sickest of all and all this can be called the degradation of people.

People and equality of opportunity; that takes me back to the days when you and I were students educated in rural Ontario. We were taught to expect that in a sense we would be second-class citizens. That we would not have equality of opportunity. That covers the whole range from equality of education to equality of services. The schools we attended had no auditorium nor gymnasium. We did not have the benefits of artificial ice arenas. And in some cases we

were either devoid of hospitals or had hospitals that required renovations or expansion. Twenty-five years ago when money became more readily available, we were told we would have equalization of opportunity—and, indeed, new schools were built with an auditorium and gymnasium. New arenas with artificial ice surfaces were built; as were hospitals or additions to hospitals.

It was interesting to note that when the well ran dry and the budget constraints were announced, and when the crunch came, it came first of all to the town of Goderich or the town of Chesley and not to some large city hospital.

Certainly it is hard to be negative about a package that promises to save the taxpayers something like \$50 million in health, or \$1.6 million in overall costs over the next year or two. For quite some time now the Liberal Party has been calling on this government to exercise some fiscal restraint.

Our position on this issue has been very consistent. Consistency also marks the annual consideration of supplementary estimates. It seems like every year this House is asked to vote the government more money. Every year it increases our deficit by spending more than first intended. The government is consistent when it comes to the introduction of supplementary estimates, but unfortunately it is not a consistency that it can be proud of.

These supplementary estimates are coming at a time when this government has embarked on a ruthless retrenchment programme in health care, with little regard for community impact, the future of small towns and efforts to decentralize. This government has once again demonstrated that it has no regard for the real concerns of rural Ontario.

In all, the province has decided to close 10 hospitals. Most of these decisions have been an admission of poor planning. While some of the physical plants are old, some have only recently undergone renovations and additions. We in the Liberal Party are especially concerned about the impact some of these decisions will have on the communities involved. They will almost certainly have a dramatic effect on small, rural communities. They take the economic heart out of these towns and villages and they will cost us more in the long run.

Decisions to close rural hospitals fly in the face of the admitted need for decentralization. They mock any efforts to keep these towns as attractive places in which to live.

In our opinion, hospital replacement need not come as a surprise to anyone in the community. Hospital closures should not either.



There is no reason why all information leading to these decisions should not be made public. There is no reason why consultation can't take place between the Ontario government and the affected parties. There is no reason why the criteria used to make these decisions can't be exposed for public consideration.

The basic element of trust is lacking in the government's approach to these matters, and this lack is the hallmark of the distance which now exists between the government and the people of Ontario after 33 long years of Tory rule.

Can you people hear me over there, or will we turn the mikes up?

The problem with hospital closings in rural Ontario is this: While ministry officials and bureaucrats can tell us that closing entire hospitals can save considerably more than closing single beds, they are not telling us, and probably can't tell us, what impact closings have on rural Ontario. Closing hospitals in a community like Clinton clearly has a greater impact than a similar closing in a larger centre with several hospitals.

The closing of these small, rural hospitals is in keeping with the centralizing philosophy of this government. How often have we been told that centralizing municipal government, school boards and other services would save money and improve services? Now we are being told that by closing small hospitals, we will save money and become more efficient. With this government's record, why should we believe it?

Three points must be made in any discussion of hospital and bed closings. First, poor planning and the distorted priorities of the Conservatives have led to our present difficulties. In some places they overbuilt hospitals, sometimes as electioneering largess, while in other places bed shortages have been permitted to occur. Even if we were not going through a period of austerity, and even if money were plentiful, proper planning and organization of health resources would still dictate bed closures due to the poor Conservative planning of past years; and this is my second point.

This point has been made by the federal Health minister and admitted by the provincial Health minister, yet has not been stressed sufficiently in the public discussions.

[4:30]

Third, the government has been told frequently that hospital beds would have to be closed down, and yet it postponed these difficult decisions until now. On this latter point,

we note that "The Community Health Centre in Canada, 1972," the Hastings report, recommended the reduction by provincial governments of acute general hospital in-patient bed facilities. This report also observed, and I quote:

The chief means of controlling costs within the hospital sector is to be found in a reduction in the present acute bed-population ratio, and a consequent reduction of in-patient services and facilities.

In 1974, the Ontario government health planning task force report stated:

Where an excess in the number of beds persists, facilities should be consolidated by the closing of some units, hospitals or wings, in preference to making fragmentary cuts in all facilities.

Key questions concerning any programme to close hospitals or beds were asked by my leader on Nov. 20, 1975, during an emergency debate called over the decision to close Chesley Hospital. I quote:

Mr. S. Smith: The fact of the matter is that we now find it becomes necessary to close beds. Now the question is by what criteria; under what plan; which hospitals; why those hospitals; why not other hospitals; what are the means by which these things are decided?

It is our firm belief that real economies must be made in the health care system. The dramatic closing of hospitals and beds is good public relations, it gives the impression that you are doing something. But we should be asking whether long-term economies are being made. We are certainly denying doctors beds in which to put their patients, but are we making any effort to check their excessive utilization of hospital facilities? Are we getting at the root of the problem or are we just taking punitive actions which are not really positive in nature? I hope I have made the point abundantly clear that we in the Liberal Party cannot endorse the closure of small community hospitals or even the closure of so many beds at this time when hospitals still bear the heaviest burden of health care delivery in the province.

There must be clear evidence, shared with the public and the hospitals, that the government has an objective, well-considered programme that it will pursue vigorously and thoroughly for all communities. Surely the direct link between government and the people in this situation must be voluntary hospital boards. Surely a more logical approach to the closing of hospitals would be for the minister to meet with the hospital board chairmen and administrators of all 240 public hospitals in order to present his proposals directly to them.



The minister did not have to close certain hospitals or arbitrarily cut beds. If the minister had said to the hospital boards of Huron county that he wanted to save \$1 million, the five boards would have been prepared to sit down to ascertain where that money could have been saved. While bed reductions might have been part of that programme, the boards certainly did not want to commit themselves to it at this time.

The reason for this is that the hospital boards find the minister's argument for closing hospitals in order to save money extremely shallow. The boards are not convinced that hospital costs have been outstripping all other areas of government spending. According to the government's own figures, the health services are actually using a smaller percentage of the gross provincial product than in previous years at a time when Canada itself is actually reducing its proportion of the gross national product spent on health care and reducing it to a level below that of most other western countries.

It is really a misconception to pretend for the purposes of political gain that closure of hospital beds will save taxpayers money. Will the closure of the Goderich Psychiatric Hospital save us money? In that instance, we have seen the virtual extinction of an active psychiatric hospital considered by the accreditation review board to be one of the most progressive and modern in the province and its replacement by an unnecessary and unwanted mental retardation centre and later, as a sop to the enraged populace, a Mickey Mouse psychiatric unit of 20 beds.

**Hon. F. S. Miller:** I'll remember that.

**Mr. Shore:** Don't threaten him.

**Mr. Riddell:** That's right. The annual budget of the active 230-bed psychiatric hospital was of the order of \$3 million. The cost of the unwanted mental retardation centre is already estimated at over \$2 million and the cost of the little residual 20-bed psychiatric unit is estimated at around \$750,000. Add to that the cost of transporting our patients around the province, the cost of alterations and the cost of increased administration and where have we saved money? If the Ontario government wants to exercise some degree of integrity and honesty, would it not be prepared to admit that the transfer of the psychiatric hospitals to the mental retardation centres, under the jurisdiction of the Ministry and Community and Social Services, was nothing more than a means of justifying the expenditure of grants from the federal government earmarked for mental retardation?

The expenditure of these grants was questioned in the House last session and to save face the government made a paper transfer of assets from the Ministry of Health to the Ministry of Community and Social Services. The government is obviously prepared to go to any extreme to make amends for its lack of accountability; and as a result of such measures the citizens of western Ontario have lost the following services through the closing of the Goderich Psychiatric Hospital. I would just like you to listen to these services.

Resident patient care; intensive care for acute psychiatric disorders; alcohol and drug addiction programmes; progressive community psychiatric services, which include outpatient follow-up care and boarding facilities; outpatient crisis intervention and prevention of admission where necessary; reductions of readmission of cases by regular follow-up appointments after discharge; short-term stay in hospital for patients who would otherwise remain for an undetermined period in hospitals far away; services to the legal system, probation and parole, court and police, public health, Children's Aid Societies, VON, home-care programme; Manpower consultations regarding psychiatric assessment and needs of people.

Other services lost are the weekly clinic information and counselling centre twice weekly in Exeter; orientation visits for students from surrounding schools; marriage and family counselling; child care and children's outpatient clinic; homes for special care and nursing home psychiatric service; consultations and care in hospital; psychological service readily available for schools; patients' yearly vacation and camping by Lake Huron in the summer time; hospital visits by local chaplains; church services for the patients in beautiful surroundings.

The highly accredited hospital which is a leader in modern psychiatry, which accents the very need of people; the hard-working and organized band of volunteers in active community psychiatry; nursing students affiliating in psychiatry from Lambton College, Conestoga College, Fanshawe College, Victoria Hospital in London and St. Joseph's Hospital in London. A hospital affiliated with the University of Western Ontario. A building which is new and in no need of repair, functioning at the 90 per centile range. A hospital which complements a general practitioner's practice in co-operation with the general hospitals around. Also lost will be the hard work of the Goderich Psychiatric Hospital in establishing the Stratford Psychi-



atric Clinic funded through the Goderich Psychiatric Hospital budget.

The citizens of western Ontario simply could not comprehend the reasons why this hospital was closed. The hue and cry against the government's decision to close the hospital seemed to focus on the 300 jobs that would be lost as the psychiatric hospital did employ a large number of county people. And indeed, they should not lose their jobs, but stressing this gives the wrong emphasis to the province's decision. It encourages us to look at a psychiatric hospital as just another patronage plum; an institution that gives jobs to a riding that votes the right way.

That may have been part of the reason Huron got the psychiatric hospital in the first place. They have been rated right up there with prisons as job-creating institutions to be located in loyal ridings. The prisons come from the feds; the hospitals from their provincial brothers. But political plum or not, the Goderich hospital provides many desperately needed services, as I've just outlined, to a rural population. Its most important job is that it gives psychiatric care to the people of Huron, Perth and Bruce counties.

Before its closure we could get help for alcoholism, for family problems and for mental illness at the Goderich Psychiatric Hospital. There were counsellors there who have helped many people. Before the hospital opened those with emotional problems had to go to the city for treatment or sit and suffer. It is hard to believe the Health minister's contention that the overall quality of health care won't be hurt when those who got help from Goderich will now be expected to go to Owen Sound or London for treatment.

Emotional illness is often related to environment. Doctors, counsellors and other staff in Goderich are familiar with our mostly rural community and how it works. They understand that what is abnormal behaviour in Huron county is not necessarily considered strange in Toronto, and vice versa. They know that the pressures in a fast changing but still bedrock conservative rural area are not the same pressures that drive people around the bend in our cities.

As a teacher put it, and I quote: "Say some poor kid from Hullett township is getting help in Goderich. After perhaps five years of living here, his doctors are just beginning to understand this area. Now if he has to travel to London for help, he will have to start all over again, perhaps with a counsellor who

is city-oriented and about as familiar with Hullett township as with the far side of the moon."

This is what the closing of the Goderich Psychiatric Hospital will mean in human terms to its many outpatients, as well as the 230 people being treated in the hospital, and to their families. The Ontario government's attempt to cut back on ever increasing costs are admirable, but why does all the fat have to be trimmed outside the large metropolitan areas?

Now that the Goderich Psychiatric Hospital has been closed, people in that part of Ontario will be left without any kind of close-at-hand help for emotional illness. At the very least, the psychiatric clinic and the counselling services should have stayed in Goderich. Without local treatment available for local people, any claim to equality in health care is mythical.

Now what rational approach was there to the closing of the Clinton Public Hospital? The community's reaction to the Health minister's announcement to close the hospital was one of shock and dismay by almost the total population served by this facility. The unanimity of feeling by the people was well demonstrated at a public meeting held, with very little advance publicity, within four days of the announcement—and well over 2,000 people turned out in a town of about 3,000. The hospital has deep roots in a community which started it about 70 years ago and has supported, maintained and been served by it over the years.

I have already made reference to the support that people have given the Clinton hospital with substantial gifts during their lifetime and through their wills.

What makes the closing of this hospital difficult to understand is the extent and breadth of the activities presently carried on by the hospital. The hospital has been fortunate in putting together a highly qualified and very effective and compatible team of physicians, nurses and other personnel capable of providing a full range of health care procedures for the community they serve with an efficiency that is second to none.

Except for very specialized procedures, practically all of the major and minor surgery generated by the area served is performed at Clinton. To accommodate this, the hospital has on its staff two surgeons, an internist and four general practitioners with special training in anesthetics, as well as qualified nursing support. It is the only hospital in Huron county using a laparoscope for diagnostic and therapeutic procedures.



Patients come from well beyond the immediate area because of this. Clinton is the only hospital in Huron county with a functioning remote cardiac monitor and resuscitation team, including a round-the-clock team of trained nurses. In 1975, the successful resuscitation rate for ventricular fibrillation patients was 100 per cent. It has taken several years to reach this efficiency and it is a source of hospital pride.

Clinton was asked by the University Hospital in London to establish a renal peritoneal dialysis unit for patients in this area. This facility is functioning efficiently today and it is the only one in Huron county. It is significant that a patient pronounced terminally ill with renal failure at Toronto General Hospital was kept in reasonable health for 18 months at the instigation of the local team before the unit was established in Clinton.

Clinton serves as a hemophilia treatment centre where local hemophiliacs receive cryoprecipitate and have been instructed in self-administration. The Clinton public hospital had the original physiotherapy department in the county and it continues to be active and provides vital, essential services.

These services, and many more, are provided in a facility that operate more efficiently than most hospitals through the province; and this is the one that is being closed down.

Now I would like to outline some aspects of the community served by the Clinton public hospital. Clinton is located in an essentially rural area at the junction of two main highways. There is consistently a high incidence of motor vehicle and farming accidents and a significant need for the hospital's emergency facility. There are within the town and in a six-mile radius therefrom 3,000 students in seven schools and the Clinton hospital provides the emergency facilities required by the schools.

[4:45]

Clinton is located geographically in a very heavy snowbelt region. It is common during the winter to experience many days when travel is difficult and hazardous. During the past winter, for example, there have been eight days during which it was impossible because of the weather to travel by motor vehicle from the town.

Located adjacent to the town is Huronview, the county home for the aged, with a capacity of 310 beds. Then there is Heather Gardens, a halfway institution for psychiatric patients, with 60 to 70 patients and prospects for an increase to double this figure. These

facilities are serviced largely by Clinton Public Hospital and practically all geriatric medicine generated by these institutions is handled at the hospital.

Did the minister consider all the services that were provided at this hospital when he made his decision? Furthermore, did the minister take into consideration the economic impact that the closing of this hospital would have on the town and surrounding areas?

The same can be said for the closing of any hospital in any small community but I will deal specifically with this area as I am most familiar with it.

The economy and distribution of settlement in Huron county has evolved in response to exploitation of local resources with minimum economic intervention or subsidization by central government. Military bases in Huron during and after the war altered the pattern somewhat but with their closing the former patterns have by and large been re-established.

One feature of the natural and demographic pattern in Huron has been a hospital established in each of the five towns by local initiative, serving a local area and being a major employer in the town's economy.

The intervention of the provincial government to close the Clinton hospital interferes with the natural economic and demographic forces in this region, deleteriously changing the relativity of Clinton to the other towns. To the people of Clinton this means disruption to some lives; a diminution of the town's prospects; and a reduction of the health services which the town has created over the years and undoubtedly paid for.

The government has given no demonstration that this intervention is justified or that the patterns which will develop subsequently will be as desirable as those which evolved without intervention.

The Clinton Hospital is presently by far the largest single employer in the town. With its closing some 84 jobs representing the livelihood of 169 people will be lost. These people, of course, will be eligible for unemployment insurance which, if the people are not re-employed quickly, will soon effectively use up any savings accomplished by closing the hospital.

Present indications are that 28 families will have to leave the town immediately to obtain employment elsewhere.

Although the loss of cash flow from hospital payroll will be partly offset by cash flow from unemployment insurance, the amount will be substantially reduced both



because insurance is less than wages and because people will leave the town. The hospital supplies account will, of course, disappear from Clinton. If persons who would otherwise be visiting Clinton Hospital have to go to other towns to visit patients there is a high probability that some shopping will be lost to the town of Clinton. The most probable results of reduced and diverted cash flow will be closure of some retail businesses in Clinton and the departure of the operators.

Other things being equal, an industry, business or institution wishing to locate in Huron county will locate in a town where there is a hospital. Similarly, people thinking of a place for retirement will prefer a town which has a hospital. The closing of Clinton hospital, therefore, greatly impairs the potentiality for growth of the town. Houses which go vacant on the closing of a hospital are not apt to be filled by newcomers.

The overall effect of the factors discussed is a preliminary decline in the population of the town with subsequent multiplier effects leading to further decline with no offsetting factor apparent.

During the economic depression of the 1930s the population of Clinton declined to 1,789 people. This population possibly represents the town as a minimal service centre for the surrounding agricultural community. With a new local depression created by closure of the hospital, there is no clear reason why the town should not revert to that function or to a similar population.

During the by-election of 1973, it was obvious that the people of Huron were not prepared to continue their support of the long-established Conservative tradition since they were strongly opposed to regional government which was a major issue of the by-election. The Premier (Mr. Davis) and his colleagues tried to say we were dragging in red herrings—as they did when the resolution was adopted by the Liberal caucus—when they met in the riding in the course of the by-election, during which reaffirmed our party's stand to put an immediate stop to the expansion of all regional services, to preserve local institutions such as local hospitals and local PUCs, and to put a freeze on all beds or staff reductions in all hospitals less than 100 beds. Does the closing of hospitals and the subsequent deterioration of our communities suggest that this was a red herring or is it evidence of the further centralizing tendencies of this government?

Through you, Mr. Chairman, I would ask the minister to reconsider his execution of the hospitals in the small communities in rural

Ontario. There are alternatives which would either save the taxpayers' money or generate new revenue which could be applied to hospital care in the Province of Ontario.

I have already referred to the one approach which I think should have been taken by the minister, and that is direct consultation with the hospital boards throughout Ontario, advising them that there would be a budgetary cut and giving them the option to decide how they could best effect the saving that the minister was requesting of them. I think I could safely say that every administrator would have found a way to continue the operation of the hospital and live within the budget restraints.

In our estimation, the place to focus the control of health expenditure is on the role of physicians. Most doctors are careful and responsible professionals. Nonetheless, the present system does nothing to encourage thrift with the taxpayers' dollars. We believe that the government must see to it that the medical profession acts to control health costs. Doctors must learn the discipline of limited resources. Not only must individual doctors exercise restraint, the profession as a whole must police itself to ensure that uneconomic practices do not occur.

The government talks of penalizing the patients for using the system. We say financial arrangements must be established to correct those doctors who unnecessarily over-utilize the system and reward those conscientious doctors who do not. What is this government doing about our excessive rates of surgery in comparison with other jurisdictions? What is the government doing about the over-utilization of lab facilities by doctors who order test profiles instead of individual tests?

The minister has had recommendations from the Ontario Association of Medical Laboratories since Jan. 27, suggesting that all profiles not included in the OMA fee schedule be eliminated from lab requisitions by April 1, 1976, that he set up an advisory committee to develop methods to audit the work of labs properly, and that all questionable arm's-length relationships between doctors and labs be publicly documented. What has happened? Nothing that we are aware of. The situation has become so bad that the association has itself called an inquiry to clear the air.

Has the minister given any consideration to the generation of new revenue to be applied to hospital care? We have in existence at the present time the Wintario lottery; it is my understanding that there is \$29 million of excessive funds in the lottery and that the government doesn't know what to do with it.

Why can't this money be applied to hospital care?

Has the minister ever considered increasing OHIP premiums with consideration being given to those who cannot pay? If the people were approached and told they had a choice between paying a little more towards the premium and having the hospital closed down, I am sure those people would say they could afford the additional cost of the premium.

Has the minister considered fewer hand-out programmes to those with means? This would probably necessitate a means test, but really when it comes to giving free drugs to all citizens over 65 years of age, many of whom do have means, many of whom would be pleased to pay for their drugs—and I have spoken to many of them—in place of the closing-down of hospitals, is there any reason why nursing home patients or senior citizens home people cannot pay their way if they have the means whereby to do so? Why is it that many of these people are able to will their entire estate to their offspring and rely on the government for support in these various institutions?

Has this government ever considered putting a sales tax on cigarettes? If people can afford luxuries such as smoking then I think they can afford to pay for these luxuries. Has the minister considered that a seven per cent sales tax on cigarettes would generate a revenue of somewhere between \$40 million and \$50 million, which is the saving that the minister is looking for in his health budget? Has the minister considered that if a 10 per cent sales tax was put on cigarettes it would generate a revenue of somewhere between \$65 and \$70 million? Has the minister considered that those people who use the cigarettes are also the people who, at some time in their lives, use the hospitals? And it's rather important that we have the hospitals for the use of these and other people.

In closing, Mr. Chairman, I hark back to the remarks made by a professional and a very prominent citizen of Huron county, when he was expressing his concern over the closing of small community hospitals. His remarks were as follows: "If the funeral bell should ring out marking the death of any of the hospitals of Huron county, then do not ask, my friends, for whom that bell tolls. It tolls for thee."

**Mr. Chairman:** Does the hon. minister wish to reply?

**Hon. F. S. Miller:** I was told by your predecessor to reply briefly, Mr. Chairman, and I'll try to be brief. I'll try to take the remarks

in some semblance of order as delivered by the two speakers. It's intriguing to me that both speakers have accused me of making these cuts for political expediency—

**Mr. Warner:** That's right.

**Mr. Martel:** To pay for last year's bills during the election.

**Hon. F. S. Miller:** —to win my seat or to win my party's position. That's a long way from the truth. I don't recall any of you talking to me privately that way, in the quiet of our negotiations. I don't recall that kind of thing said to me when you came in and asked me for certain help, but in public it's a kind of a smart thing to say.

**Mr. Riddell:** But 75 per cent of the people are saying this.

**Hon. F. S. Miller:** They may well be saying it. You haven't said it privately, have you?

**Mr. Riddell:** No, I have not, but I am just telling you what the people are telling me.

**Hon. F. S. Miller:** All right, I'll remember some of the other things you told me privately later on today.

**Mr. Nixon:** You're full of threats today.

**Hon. F. S. Miller:** Yes, I am.

**Mr. Ruston:** You're not laughing today, Frank.

**Mr. Nixon:** I think you should go back to Florida and settle down for a few days.

**Hon. F. S. Miller:** The fact remains that political expediency was probably the furthest thought from the minds of this government and this cabinet when I was charged with the duty of constraining the costs of health care to an 11 per cent growth next year.

**Mr. Nixon:** Less than a year ago you made a \$400-million giveaway. What was that if it wasn't expediency?

**Hon. F. S. Miller:** A \$400-million giveaway, what's that?

**Mr. Nixon:** Taking the sales tax off cars and a handout to home owners. Political expediency.

**Hon. F. S. Miller:** You don't understand an economic incentive when you see one, then.

**Mr. Nixon:** Maybe I disagree with you.



**Mr. Ruston:** It was an election year and you know why it was put there.

**Mr. Nixon:** A giveaway.

**Mr. Shore:** Frank, let Darcy protect himself.

**Hon. F. S. Miller:** All I say to you is that I took that job on as a duty and because I believe it should be done. I do not believe we have cut the quality of health care for necessary services in this province one bit.

[5:00]

**Mr. Warner:** Explain Goderich.

**Hon. F. S. Miller:** I can explain Goderich. But, please, you noticed that I did not interject once, except to say to one member that I would talk to him later.

The fact is that this government allowed me to go forward with this project, fully believing that it was about as unpolitical an act as could be taken. It did it unlike members of the other two parties, who in their talks to me today said: "Spend more, collect more". Those are the answers I got just now: "Spend more, collect more in taxes here, collect more in OHIP premiums. Do it. Don't worry about whether you're wasting money."

We went around and said that over the years, admittedly in the enthusiasm of the people of this province, hospitals have been built in many locations that exceed our current needs.

**Mr. Warner:** What about Hanover?

**Hon. F. S. Miller:** There was a belief in the Thirties—

**Mr. Nixon:** You approved every one of them.

**Mr. Warner:** You made the mistake, not us.

**Hon. F. S. Miller:** Just a second, I bet if we go back and document letters to those of you who have been around here awhile—and the member for Brant-Oxford-Norfolk has been here a long time—you could find many occasions where you appeared on behalf of a hospital in your community or somewhere saying: "We would like to build something new. Our community asks for it. Please, Mr. Minister, do it." I can go through my records—

**Mr. Nixon:** Of course, but you have the power of responsibility to stop it if

you feel it should be. You approved everyone of those additions, everyone of them.

**Hon. F. S. Miller:** I turn around and say to you that because under those conditions it was accepted that more hospital beds meant healthier people. The fact is, that has proved to be untrue.

**Mr. Godfrey:** Not so.

**Hon. F. S. Miller:** It is absolutely true, that more beds have not made healthier people. You better check with your critics because they've been telling me the same thing for some time. The current leader of your party has been telling me that for some time. Other critics have been telling me that for some time.

We decided a second round of cuts in the services in this province was necessary. I say a second round because the member for Huron-Middlesex homed in on the fact that it appeared this is the first round and that we hit only rural Ontario. The fact is the first round occurred in 1973. It occurred, I think, when Dr. Potter asked for some 1,600 beds to be closed in Ontario and about 1,800 or 1,900 were closed.

I think if you check where those were closed you will find in the main they were in big hospitals in major cities in this province. I quite agree that, as the balance of Ontario, whether it is in your part of rural Ontario or mine, created more hospital beds and developed better skills and had more specialists available, in fact major cities did attract fewer patients needing their particular facilities. So there were cuts made. The Toronto General came down—I don't know if it was by 300 or 400 beds in 1973. And I'm sure you can go through Toronto and find a number of others the same. We have tried to trim the most costly part of the health care service down to the basis of the number we need.

I will raise through the Treasurer (Mr. McKeough) all the moneys this ministry needs to run programmes. I will not ask him for moneys that are wasted, and herein lies the difference. We can prove to you that admissions to hospitals increase, that unnecessary surgery occurs, that lengths of stay are long, and that discharges are not well done as long as doctors can gain access to this system.

If your answer is to have the state standing behind the doctor and determining whether or not each patient should receive a certain procedure or admission, then you have an entirely different concept of medi-

cine than I have. The state has a role but it certainly isn't in the diagnosis room or the admitting room of a hospital. That is a doctor's role and it must remain so. The fact remains that you, I, the doctors and the system encourage waste as long as access to those facilities is reasonably easy.

Who in this room who has been in hospital has not been admitted for tests well in advance of any surgical procedure? Certainly, I can tell you I spent six weeks in 1966 sitting in Toronto General Hospital waiting for them to decide whether to carve me up or not.

Mr. Godfrey: That's the philosophy you have now—10 years out of date.

Mr. Laughren: Did they make the right decision?

Mr. Nixon: We're glad you are so well.

Mr. Chairman: Order, please.

Hon. F. S. Miller: What I am trying to point out is that we cannot afford that kind of convenience, whether it be for the physician or for the patient. We have to—

Mr. Makarchuk: Are there any hospitals you trust now?

Hon. F. S. Miller: Look, gentlemen, I am quite happy to talk back and forth, but I would like to try to stick to something of an orderly way.

We feel that the key ways of controlling unnecessary service and unnecessary costs are the number of physicians to the number of beds. Study after study has said that. In fact, you quoted a couple of them. You quoted Dr. Hastings as saying to cut back, and quite properly so. You quoted other studies as saying to cut back. We are doing it—and we have done it in as selective a manner as we could.

Mr. Riddell: Cutbacks but not complete closures.

Hon. F. S. Miller: Now, you know I challenged the people in Clinton to come up with an alternative, do you not? And I am waiting for that response. Is that not fair?

Mr. Lewis: No, it's not fair. They're traumatized, for heaven's sake.

Hon. F. S. Miller: The member is not prepared to say it is fair.

Mr. Chairman: Order, please.

Mr. Lewis: After the event?

Hon. F. S. Miller: After the event.

Mr. Lewis: You left them a confidential document, which they had on their table after you walked out of the room, which showed the basis on which you made your cut, and none of it corresponds with rationality. Good grief. And then you say to them, "Come to me with an alternative."

Hon. F. S. Miller: Okay, that's your privilege.

Mr. Lewis: We haven't talked about that document yet in the House.

Hon. F. S. Miller: The member for Parkdale (Mr. Duksza), who I recognize did his usual good job of looking up statistics and preparing a thoughtful document, pointed out that I have looked at things from an accountant's point of view and not from the point of view of human misery or jobs.

Certainly I have an accountant's point of view at many times in this. At the same time, I hope that never precludes the other aspect, the human side. You can of course capitalize on the changes; of course people are losing jobs. But if you can tell me how money is saved in our system of hospitals, taking 53 cents out of every dollar in my budget without involving jobs, then you've got a mechanism that as yet I haven't found.

Mr. Lewis: You just described it.

Hon. F. S. Miller: That's the other 47 cents.

Mr. Lewis: No, you yourself described where the excesses come.

Hon. F. S. Miller: Yes, sure I did—and I am explaining the ways I will cut down, but that does cut down on jobs.

Mr. Lewis: That's why it is the wrong way. You won't deal with the doctors—

Hon. F. S. Miller: I am dealing with the doctors—

Mr. Chairman: Order, please.

Mr. Lewis: You won't deal with the medical profession; that's what it comes to.

Mr. Chairman: Order, please. The hon. minister has the floor.

Hon. F. S. Miller: Well, I would like to talk to you some day; they say I deal with them pretty ruthlessly.

Mr. Lewis: What the devil, you are the—



**Mr. Warner:** They are laughing all the way to the bank.

**Hon. F. S. Miller:** It's interesting, though, that in a state that has been governed for a good number of years by a party similar in philosophy to the NDP, Great Britain, there are very serious problems as you know.

**Mr. Lewis:** Not very serious problems.

**Hon. F. S. Miller:** They are using 60 cents out of every dollar earned in that country to run the state. We are using 40 cents in Canada, and we think that's far too high.

**Mr. Lewis:** What do you mean, to run the state?

**Mr. Wildman:** The British state almost came to a halt under the Tories.

**Hon. F. S. Miller:** That's 50 per cent more of the gross product of the country going into state-run organizations. That, of course, is where we tend to differ in our basic philosophies.

**Mr. Lawlor:** Conditions in Britain are totally different.

**Hon. F. S. Miller:** Thank goodness they are.

**Ms. Bryden:** Only 25 per cent of the 40 per cent are claims for goods and services. That leaves 75 per cent for the private sector.

**Mr. Lawlor:** Britain carried the load in the last great war and was virtually bankrupted in the process.

**Mr. Chairman:** Order please. The hon. minister has the floor. Would you give him the courtesy of allowing him to continue.

**Mr. Bounsall:** They have no resources as we have.

**Hon. F. S. Miller:** We won't have any resources if you guys run this place.

Interjections.

**Mr. Chairman:** Order, please.

**Mr. Martel:** That's the way you guys give it back to the mining industry as you did yesterday.

**An hon. member:** We're not closing hospitals—you are.

Interjections.

**Mr. Chairman:** Order. The hon. minister will continue.

**Mr. Lewis:** Why don't you go to the province on this?

**Hon. F. S. Miller:** I will be glad to.

**Mr. Lewis:** Go ahead; test your credibility.

**Hon. F. S. Miller:** I will be glad to. Challenge me; challenge me. Put up or shut up!

**Mr. Chairman:** Order, please.

**Mr. Lewis:** Take your whole restraint programme to Ontario.

**Hon. F. S. Miller:** I will be glad to.

**Mr. Lewis:** There it is; you go ahead and call it.

**Hon. F. S. Miller:** You are in the opposition; you call it.

**Mr. Chairman:** Order, please.

**Mr. Warner:** You're the government; name the date.

**Mr. Lewis:** I am in the opposition, Mr. Chairman; I call it. Now what happens?

**Mr. Sargent:** Very unparliamentary.

**Mr. Chairman:** Order, please. The hon. minister will continue.

**Mr. Nixon:** Of all the fatuous exchanges, this has got to be the most fatuous.

**Mr. Lewis:** That is the most fatuous exchange—

**Hon. F. S. Miller:** We have been elected to run this province until you throw us out. Now you throw us out and we'll go to the polls on whatever issue you choose.

**Mr. Lewis:** This hospital programme will rally the province against you.

**Hon. F. S. Miller:** Whatever issue you choose, we will go out on.

**Mr. Lewis:** Yes, fine; good.

Interjections.

**Mr. Chairman:** Order please.

**Hon. F. S. Miller:** I simply said this session would start like March—you know, a little noisy—but it would end in a very tranquil way.

**Mr. Lewis:** I did not say that.

**Hon. F. S. Miller:** Yes, you did.

**Mr. Lewis:** Well, I don't want to be proved wrong.

**Hon. F. S. Miller:** I realize that. I have a couple of pills that will help reduce you to the tranquil state before we're through today.

**An hon. member:** Did you say "pills" or "bills"?

**Hon. F. S. Miller:** It depends on how you take them.

Interjections.

**Hon. F. S. Miller:** I think I should try to correct a figure. Either the Treasurer (Mr. McKeough) was wrong or the member for Parkdale (Mr. Duksza) was wrong on one estimate of turnover in the hospital field. I think he used a 25 to 50 per cent figure and credited it to him. If he did use it, I don't recall it but I would like to correct it. My figures tell me that the traditional turnover rate has been closer to 10 to 12 per cent in the business.

The thing I would point out is that the number of positions vacant at any point in time is not related to the turnover rate. Two years ago, after I was minister, we were investigating the shortage of nurses in Toronto. We were investigating why hospitals had to use employment agencies and pay them premiums to get staff. In 1974, there were substantial awards in salaries made to nurses; I think it was 25 or 30 per cent in that year.

We've seen a dramatic change in the trend of turnover rates in hospitals, possibly because some people are nervous but also because, in many instances, the rates of pay have increased to the point where people think they are pretty good positions to hang on to. That, of course, does complicate the problem I'm faced with in trying to help the people who are displaced through the closures and help them get other jobs.

The doctors you referred to, saying, "We need to help them." I think that is relatively simple. In the case, though, of the nurses and the other workers I admit the problem is more grave. I have been talking to various organizations, the hospital associations—and I understand the nurses' association has been talked to, not by me directly—the OMA and the Ministry of Labour. In fact, once the hospitals have accepted the closures, I think we will be in a position to try to help people get relocated.

**Mr. Sargent:** They are not going to accept them.

**Mr. Godfrey:** Are you going to guarantee the living of these people in the interim?

**Hon. F. S. Miller:** No. But, again, let's look at that comment. I don't see the solution to unemployment being the state providing unnecessary jobs.

**Mr. Warner:** You took their jobs. You put them out of work.

Interjections.

**Mr. Lewis:** We don't consider that the solution to inflation is unemployment. That, at least, makes sense.

**Mr. Chairman:** Order, please.

**Hon. F. S. Miller:** The state can only provide employment by taking money from other people. That's so simple that I hope—

**Mr. Duksza:** Income redistribution is essential.

**Hon. F. S. Miller:** Yes, I am. I'm a throw-back, aren't I?

**Mr. Warner:** You put them out of work.

**Mr. Chairman:** Order, please. We're dealing with the minister's reply to opening statements by the critics of the two parties. You will have ample opportunity under these votes to get into specifics. Will the hon. minister continue?

**Hon. F. S. Miller:** I am trying, Mr. Chairman.

**Mr. Chairman:** If the minister would refrain from responding to some of the interjections, it may be more helpful.

**Hon. F. S. Miller:** Would you please note where they are coming from?

**Mr. Lewis:** You would be a lot better off if you were not so Pavlovian.

**Hon. F. S. Miller:** I shall bark and froth because I believe one has to do both if one is Pavlovian.

**Mr. Sargent:** Why don't you resign?

**Hon. F. S. Miller:** I have to put my glasses on for a second or I'll not be able to keep to my notes.

I was interested in the comments on surgical operations. I share the members' concerns about unnecessary surgery. I'm just touching on that point.

I was looking at some statistics today and I was rather intrigued at my staff's fear that I may not understand some of the medical terms. They were listing some of the appendectomies, tonsillectomies, hysterectomies,



prostatectomies, etc., and beside hysterectomies was a little asterisk. I looked down and it said, "female patient only." Beside prostatectomies were two asterisks—"male patients only." It made me realize what confidence the ministry staff had in their minister when they sent me that information.

**Mr. Lewis:** What did the statistics say?  
[5:15]

**Hon. F. S. Miller:** The statistics were interesting in this sense, in that we have a higher rate in Canada than the United States has for tonsillectomies by a considerable percentage and a lower rate for appendectomies, and that rather intrigued me. I would say there is no significant difference, as I recall, in the hysterectomy-prostatectomy series; but in those first two we had exchanged the lead, and by a considerable amount. We do a lot more tonsillectomies in Canada than they do in the United States, and I believe quite a fewer appendectomies, as a percentage of population.

**Mr. Lewis:** Do you have a comparison across Canada?

**Hon. F. S. Miller:** I don't have statistical facts. I believe it was just a little table summarizing those particular factors. We've been studying that kind of thing for some time.

**Mr. Duksza:** What are you doing about it? There's an unnecessary shortage.

**Mr. Lewis:** He's closing hospitals.

**Hon. F. S. Miller:** You asked me, I think at the end, five questions. This is the member for Parkdale again. You asked me what alternatives there were. The interesting thing about the alternatives to active treatment care is we built them in before we cut the beds; this is something people keep on forgetting. Dr. Potter, to give him credit, in 1972 came forward and said: "The federal plan of cost-sharing has encouraged hospital bed building." That was echoed by the new leader of the Liberal Party in his first speech on the estimates, I believe. He then went on and said: "We must find those alternatives to the high cost of the system and therefore we should provide insurance for people in nursing homes and we should provide home nursing care."

**Mr. Bounsall:** Put it in place first.

**Hon. F. S. Miller:** We did. We have 26,000 nursing home beds licensed in the province; another 10,000, roughly, in homes for the aged. That's 36,000; almost as many beds in intermediate care as we had in the whole

active care system. As a result, we've only closed perhaps 3,300 active treatment beds in the province.

**Mr. Ferrier:** You changed the whole nature of the old age process.

**Hon. F. S. Miller:** We didn't change the nature of it. The old age homes, of course, became de facto nursing homes because the other benefit wasn't there to share in advance. I think that's exactly how most people got in. Communities which had one took anybody for many years. In the last few years they've become more selective—if they could become more—as nursing homes became available. I'd like to think—

**Mr. Warner:** More expensive.

**Hon. F. S. Miller:** —the ultimate solution is the combination of those two types of facilities into one. I don't know whether it will ever happen.

Jobs; we've talked about that briefly and I have to tell you that we cannot afford to create jobs, but it's our duty to provide help to those misplaced to get relocated.

You asked me the question as to what I'm going to do about behaviour of MDs and use of hospitals, I believe. I mentioned that briefly in my first comment. I really think the profession of medicine must be responsible for its own professional ethics. We, in turn, have to provide enough facilities for them to practice in to allow the good practice of medicine, but not the unnecessary practice. We felt that we were providing too many facilities and, therefore, we cut it down so that some of the things you complained about will not happen simply because peer review, as you know, will have a profound effect upon wastage or inappropriate admission.

The nurse practitioner programme has been slowed down for one simple reason. I firmly believe, in the long range, it's a very valuable part of the health care system, as other paramedicals are. The fact remains that when you have a surplus of doctors, it's pretty hard to justify a cut in the cost of the system. That's an Ontario surplus, Mr. Chairman; I can tell from the look in your eye.

**Mr. Warner:** There's no surplus in the north.

**Hon. F. S. Miller:** No, but we are coming a long way toward matching it—

**Mr. Warner:** Producing a surplus?

**Hon. F. S. Miller:** —and meeting it around the north.

The member for Huron-Middlesex (Mr. Riddell) chatted to me for while in an allegorical way or something to begin with—I think it was, wasn't it? Was that an allegory?

**Mr. Warner:** An allegory.

**Hon. F. S. Miller:** Or was it just a poem; a bad poem?

**Mr. Laughren:** Was there an asterisk beside it?

**Hon. F. S. Miller:** Perhaps it was an Aesop's fable.

**Mr. Worton:** John Donne was the author?

**Hon. F. S. Miller:** By the way, I was intrigued to think he was talking about the mismanagement of this province by the PC government. That was the first thing he started on, as I recall. One thing I would to refer back to is that this year our budget goes up 10 per cent. This year the federal Liberal budget went up 19 per cent. I just question whether that doesn't indicate which party is willing actually to put the screws on.

Interjections.

**Hon. F. S. Miller:** I couldn't quite hear you, sir.

**Mr. Nixon:** They had to pay automatically half of your medical bills.

**Hon. F. S. Miller:** No they don't They don't pay half my medical bill.

**Mr. Nixon:** They pay half the Canadian average—

**Hon. F. S. Miller:** Yes, but they limited the growth of the medical component to 14.5 per cent.

**Mr. Nixon:** They are about to limit it by closure, I understand.

**Hon. F. S. Miller:** Yes, they are. Bill C-68 will be stopped by closure. I question, when he talks about the fiscal nightmare we have, how he can then complain about me taking action to cut costs. I question the analysis of several platforms in the past—I think the member for Brant-Oxford-Norfolk has said there was \$332 million to save in my budget. I am trying to save \$50 million of it in the hospital field and getting quite a bit of criticism. I question when he tries to place the blame on rural Ontario and say that the majority of changes occurred in rural Ontario. Where would you make them? Which cities would you choose? Where would you go?

Interjection.

**Hon. F. S. Miller:** Let me start down the list and name some of the cities that I cut.

Interjections.

**Hon. F. S. Miller:** I hope I can call Thunder Bay a city. I certainly would think so, could I not? Is Mr. Foulds in the House?

**Mr. Lewis:** Maybe Mr. Chairman might know.

**Hon. F. S. Miller:** Just about \$1.2 million out of Thunder Bay; a closure of a little more than 100 beds in Thunder Bay. Windsor, \$4.2 million—

Interjection.

**Hon. F. S. Miller:** Chatham, a closure of 20 to 44 beds and a change of another 50-odd to chronic care; \$350,000 saving. London, savings amounting to \$2.5 million, apart from any changes we will make at Westminster.

**Mr. Nixon:** Next you will have regional government there.

**Mr. Riddell:** These are bed cuts, and not hospital closings.

**Hon. F. S. Miller:** These are a mixture of the both of them. Look, I closed 500 beds in hospitals around this province, 319 of them are in the city of Toronto; 319 beds, \$6.5 million.

**Mr. Sargent:** How much did you save in Muskoka?

**Hon. F. S. Miller:** There was \$155,000 cut out of the budget there.

**Mr. Sargent:** You are building a new hospital there.

**Hon. F. S. Miller:** Both hospitals. I am not building a new hospital, I am building a replacement hospital like I am at 600 other locations in the province.

**Mr. Sargent:** That's a gutsy approach to take. You close our hospital and build yourself a new one!

**Hon. F. S. Miller:** My hospital was condemned in 1969.

**Mr. Sargent:** Where do you get the right to do that? Who do you think you are?

**Hon. F. S. Miller:** Now Eddie.

**Mr. Sargent:** That money belongs to the people of Ontario, not to Frank Miller.



**Hon. F. S. Miller:** That's right.

**Mr. Riddell:** The point is that you are closing hospitals in small communities that—

**Mr. Chairman:** Order. Would the minister refer to the member as the hon. member for Grey-Bruce?

**Hon. F. S. Miller:** The hon. member for Grey-Bruce.

Hamilton, 220 beds cut; \$2 million.

**Mr. Mackenzie:** Who is going to decide what beds in Hamilton?

**Hon. F. S. Miller:** St. Catharines, 125 beds cut; \$1.3 million.

**Mr. Nixon:** How about Milton?

**Hon. F. S. Miller:** Milton? Milton was taken out. Milton was rescinded because of population changes.

**Mr. Nixon:** Okay, go ahead, tell us about that one. Are you going to let that hang there?

**Hon. F. S. Miller:** Oh, I missed Toronto. Would you like Toronto?

**Mr. Nixon:** Would the minister permit a question?

**Hon. F. S. Miller:** Would you like Toronto?

**Mr. Nixon:** Will he explain to the House why it was that his announcement closing of the beds in Milton was rescinded? What was the reason for the change?

**Hon. F. S. Miller:** The announced closures of beds and the budget cuts are all handled by staff rather than by me. And, in fact, we got a population growth figure based on January, 1966, which supplanted the one we had prior to that. We had a 1975 figure which showed in fact the surplus was well below the 25 beds.

**Mr. Nixon:** I believe the Minister of Transportation and Communications (Mr. Snow) phoned you up and said, "You can't close them, and just—"

**Hon. F. S. Miller:** No.

**Mr. Nixon:** "—do whatever you have to do—"

Interjections.

**Hon. F. S. Miller:** On that same basis, I would have rescinded every other closure in the Conservative ridings since every Conservative member called me up and said that.

**Mr. Nixon:** You just flip-flopped when your seatmate told you to.

**Mr. Ruston:** He doesn't sit beside you for nothing.

**Hon. F. S. Miller:** And every Liberal member called up and said that.

**Mr. Nixon:** Darcy tells you to do something and Jim tells you to do something else.

Interjections.

**Mr. Chairman:** Order, please. Will the minister continue?

**Mr. Lewis:** How do you make those mistakes?

**Hon. F. S. Miller:** We based it on the current statistics and the towns in fast-growth areas—and you would admit that Milton is in a fast-growth area, would you?

Interjections.

**Mr. Sargent:** So, I take it that you did not rely on the Minister of Transportation and Communications in deciding about the hospital bed closures?

**Hon. F. S. Miller:** Did you also ask if I got a call from the member who represents that riding? Did you ask if I got a call from him?

**Mr. Sargent:** A call or a letter?

**Mr. Nixon:** Don't answer a question with a question.

**Hon. F. S. Miller:** From the member representing the riding also? I got a call from both of them.

**Mr. Sargent:** Good. I want to find out when you got the call.

**Hon. F. S. Miller:** Listen, before the letter went out—I was on vacation that week, as you may recall—before the letter went out, I had said to my staff I would like a double check on Milton because I think Milton is one place where there are only 62 beds or something in the total hospital; 25 seemed to be a pretty large cut.

**Mr. Nixon:** We believe almost everything you say, but that one is a little tough.

**Mr. Sargent:** I want to find out, Mr. Chairman, yes or no, whether you were influenced by the Minister of Transportation and Communications?

**Hon. F. S. Miller:** No.

**Mr. Sargent:** You weren't? Well, what does the letter that we have seen prove then?

**Hon. F. S. Miller:** I don't recall getting a letter from him. I certainly recall getting a phone call from him.

**Mr. Sargent:** A member of this party has a letter to the effect—

**Hon. F. S. Miller:** It may well be. From me?

**Mr. Sargent:** The Hon. Mr. Snow.

**Hon. F. S. Miller:** From me or to me?

**Mr. Sargent:** From the Hon. Mr. Snow. He has a letter.

**Mr. Chairman:** Order, please. Only one member should be on his feet at once.

**Mr. Sargent:** The point I want to assess is, somewhere along the line was your department influenced by a request from the Minister of Transportation and Communications?

**Hon. F. S. Miller:** No, it was not, nor was it influenced by the requests from say the member for Brock (Mr. Welch) or the member for any other place. Now, it is my turn to stand up because you are supposed to be listening.

**Mr. Warner:** You still haven't explained either.

**Hon. F. S. Miller:** I am just checking down here, because I have covered quite a few of the points and I don't want to go over them again. Okay, Goderich Psychiatric Hospital and Timmins were closed not as a result of a sudden study but as a result of one done across the summer. I explained that some while back. It was because over the past few years our 15 psychiatric hospitals had, as time went on, fewer and fewer in-patients in them and we had been letting attrition take place wherever we had a drop in patient load, until we got to the point where some of our psychiatric hospitals were really very low in numbers, and justification for closure of one or two or three or even four could have been found. A review was made and we had a couple of prospects in southwestern Ontario, the one in Owen Sound, the one in Goderich; we looked at St. Thomas and St. Thomas was large enough that it couldn't really be closed. We chose Goderich because it was relatively easy to look after the patients elsewhere, remembering that very few parts

of the province have their own psychiatric hospitals—

Interjection.

**Hon. F. S. Miller:** —and remembering that bricks and mortar don't make a mental health programme, contrary to what you believe. The building is only the visible evidence of it; the programme in many cases is one which depends a great deal upon services, either given at that point or somewhere else, which don't depend upon beds.

**Mr. Riddell:** Surely you are not questioning the effects of the programme in Goderich?

**Hon. F. S. Miller:** Therefore, many of the things you have talked about won't disappear. You have made the assumption they will. We did listen to reaction from your community. I certainly would not have closed a hospital and gone through all the turmoil and personal concern that I had and that the community had if I did not believe that hospital should have been closed.

**Mr. Bounsall:** Why did you—

**Hon. F. S. Miller:** Your assumption that it was a trading of dollars is wrong. The Ministry of Community and Social Services was going to create facilities somewhere. It would have made good sense, after we had made our decision, that they use a facility we otherwise were going to leave vacant. I think you could agree with that. It is better there than somewhere else in a new building.

**Mr. Riddell:** But not accepted by the Ontario Association for the Mentally Retarded?

**Hon. F. S. Miller:** All right, they accepted it up north and they didn't accept it down south.

**Mr. Ferrier:** They weren't very happy about it.

**Hon. F. S. Miller:** Well, one is a schedule 1 and one is a schedule 2 facility. I think we can say that safely. We did provide 20 beds for acute care in the area and I think that was a major concession and the savings are net.

**Mr. Lewis:** Come on! It's not a major concession.

**Hon. F. S. Miller:** I think it's a very important concession.

**Mr. Riddell:** It was a concession that we appreciate but it was really—



**Mr. Lewis:** Where is the rationalization study? Why can't the Legislature see it? Why can't you reply to my letter of about six weeks ago?

**Hon. F. S. Miller:** I will look into that and tell you.

**Mr. Dukszta:** Will you have it by tomorrow?

**Hon. F. S. Miller:** In summary, I am intrigued to see that the member for Huron-Middlesex said he thought the free drugs shouldn't be given to all senior citizens. One of the interesting things I found as I went around this province is how angry were senior citizens, who couldn't pass the means test and whose savings had dwindled through inflation, because they in turn had worked all their lives, saved their money and found they weren't eligible for benefits that other people were eligible for. Of all the groups of society, I would say we do owe that to people over 65 who have been caught in the dollar squeeze of late. Therefore I was quite happy to expand the free drug programme and I really wouldn't like to go back to a means test for those people over 65 on drugs, as you suggested.

**Mr. Riddell:** You say you would or wouldn't?

**Hon. F. S. Miller:** I wouldn't like to. I think you would find that your suggestion of the means test for those people was very unpopular with them. You are suggesting that we raise OHIP premiums. Sure, OHIP premiums may have to rise. I don't know. That's going to be the Treasurer's (Mr. McKeough) decision but the fact remains that OHIP premiums today are covering only 16 per cent of my budget, I would guess—somewhere in that range. They used to cover 25 per cent. The balance is collected in taxes of a less regressive nature. The people in Ontario do pay the highest premiums because only two provinces pay premiums; but it happens, I think, that the people in this province would still rather pay a direct premium than a hidden tax. If I have heard anything as I went around this province, it was that they want more information about how much benefit they get.

I am digressing, but I got a cheque today which kind of made me feel warm. It was from a man over 65, in the category that you are talking about. He was from your part of the province; not your county but that way. He said: "My wife's in hospital. She is having surgery. We have had quite a bit of medical

care in the past three or four years. We have free OHIP premium and we feel we have got more than our dollar's worth over our lifetime out of the system. Attached is \$1,000 for you to give to the Treasurer."

**Mr. Swart:** Are you sure he didn't have a PS saying: "Please keep the hospital open"?

**Hon. F. S. Miller:** No. I was very impressed with that letter and I thanked the gentleman—and accepted his cheque, by the way.

**Mr. Bounsall:** That is what the people are like in Ontario.

**Mr. Lewis:** It is a commentary on how you might have rallied the people instead of closing their hospitals.

**Hon. F. S. Miller:** Well, of course, I must say I never expected anybody in any community affected to sympathize with what I was trying to do. I guess the Globe and Mail's "Morning Smile" this week summarized it best: "The politician's view of waste is when a dollar is spent in somebody else's riding." And obviously the converse is true: "A politician's view of economy is a dollar saved in somebody else's riding."

On vote 2903:

**Mr. Chairman:** We are dealing with item 1 of vote 2903, health insurance. The hon. member for Scarborough West.

**Mr. Lewis:** Can I wait the minister's return? Can you adjourn for a minute or hold in abeyance for a minute? We can all read the "Morning Smile."

**Hon. F. S. Miller:** The pills are very effective.

**Mr. Lewis:** Don't say anything. So much for the Grace Hospital; you've just closed it down.

**Hon. F. S. Miller:** No, no.

**Mr. Lewis:** No? Okay. I just want to get into this discussion for a moment, Mr. Chairman, because I suspect that we'll be on these health estimates for some little time, a few days anyway, and obviously the matter of the hospital closing will, appropriately, be discussed under the second vote, I believe. I don't want to transgress on votes. I did want to pick up with the Minister of Health a couple of observations he made in reply and related to one of the most controversial OHIP charges that the province is now dealing with, those related to labs, and to get

some response from the minister today or in other days.

The Minister has put the proposition, in his response to my colleague the member for Parkdale (Mr. Dukszta) and to the member for Huron-Middlesex (Mr. Riddell), that he had to cut, he just had to cut the \$50 million. I don't imagine it will be \$50 million; it will be around \$40 million I imagine—\$40 million plus?

Hon. F. S. Miller: It's \$43 million plus some other savings.

Mr. Lewis: All right, \$43-odd million, as a demonstration that he was serious about cutting back on health care costs, and I understand that argument, of course. I fail to understand his recitation of the fundamental problems in the system with which the government will not cope because of some distorted view of state intervention. If it is true, in the minister's position, that somehow the system is abused by doctors; if it is true that somehow the system performs too many operations; or that admission policy is too easy, or that length of stay is too long; or that testing is too routine and of too great a proliferation, or that efficiency is down; then it seems to me an awful penalty to impose upon small communities to close down their hospitals instead of dealing with the fundamental problems of the system. I just don't understand the logic.

You recite the litany of wrongs in health care delivery in Ontario and then you say, rather than confronting those clear abuses and inefficiencies: "I, as the Minister of Health, have determined on two courses: One, to reduce the number of doctors by reducing the immigrant population of doctors; and two, by closing down hospital beds." Well I cannot think of a more inopportune way of approaching health care delivery. You've gone to the trouble of identifying the deficiencies and then you wash your hands of it.

The New Democrats are in the process of putting to you in the area of health care costs, one small proposition but an interesting one, and that has to do with the lab system. I want to just remind you of certain figures, because they nonplussed me a little bit and I want to get them on the record. In the period left in 1971, OHIP payments to private labs amounted to \$17.8 million. In 1972 it was \$20.7 million, for a 16 per cent increase. In 1973 it was a \$32 million payment, for a 54 per cent increase. In 1974 it was a \$45 million payment, for a 29 per cent increase. And in 1975 there is an estimated \$66 million

payment, for another 45.4 per cent increase; meaning that in the period from 1971 to 1975 the increases to the private labs from OHIP amount to almost 150 per cent.

I challenge the minister to show us where there has been a corresponding increase in medical costs in another aspect of the medical care delivery system. This is surely the single most startling and most disproportionate leap in costs; totally uncontrolled as far as we can see, totally without rationale and at an enormous drain on the public purse.

I want to point out something else which hasn't been adequately looked at—this \$66 million figure for 1975, estimated, is probably a bogus figure. There is this fascinating wrinkle in the payment of fees to medical labs through OHIP, that they can charge up to six months later for the fees or the costs they assume today. So there is every reason to believe that the estimates of the Ontario Hospital Association of \$88 million may be right, or at least that the estimate of some of the private labs themselves of \$80 million may be right; or at least that the minister's lowest figure, or figure of today in the question period, of \$70 million, may be right.

In other words, we are heading this year for the biggest single percentage jump in payments to private labs from the public purse of any year since private labs were brought into the public sector. I want to say to the minister that that is really an intolerable proposition.

Let me take it the next step, Mr. Chairman. What is absolutely fascinating about all this and equally indefensible is the revelation that OHIP doesn't know what the devil it is doing where payments to private labs are concerned. I have heard enough from colleagues and others of the police investigation that is presently under way, and I have heard enough from journalists who have stood mesmerized and bewildered as your staff attempted to cope with the computer in OHIP—enough from both sources and via both sources to know that OHIP doesn't have even the basic idea of what it is paying exactly, to whom the payments are made, whether the payments are legitimate, what the amounts of increase are for any of the individual labs; and that in fact OHIP is floundering desperately in an area where costs have gone up almost 150 per cent and where we this year will be paying between \$66 million and \$80 million out of the public purse.

Were I a Minister of Health looking for a place to save \$8 or \$9 million and I was dealing with an area so obviously padded,



disproportionately out of line, clearly wasteful, entirely unjustified, I would not move in on Durham, Clinton, Paris-Willett and all the other little community hospitals; I'd save that \$9 million out of the private lab system and I'd be certain that it was effective. It's a devil of a price for these little communities to pay, that the government's ineptitude in one aspect of health care is visited on them in the other.

**Hon. F. S. Miller:** One doesn't justify the other.

**Mr. Lewis:** One may not justify the other, but when you come before this Legislature beating your breast with bravado about closing down little hospitals, then you should make darned sure that your flanks aren't exposed; and when you can save as much money in the private labs as you've saved in all those little community closings, then you're wrong, Mr. Minister, you're dead wrong.

**Hon. F. S. Miller:** And I will, and I will.

**Mr. Lewis:** Yes, but when it all began your position was, "We can get down this much, we can reduce by this . . ." one per cent or two per cent or three per cent or whatever the \$50 million represents or the \$43 million. I guess it is about 1¼ or 1½ per cent—

**Hon. F. S. Miller:** From hospitals.

**Mr. Lewis:** You said, "We can make that reduction on the basis of the hospitals." Nowhere did we hear about the private labs and the payments that were being made.

(You see, some of us remember the debate in 1972. Some of us remember and have read recently the exchange involving the member for Riverdale. God bless this fellow Jim Renwick; he has an almost clairvoyant sense of what may be important one day. I was looking back at that bill which was debated with Dr. Potter on the private labs and the legislation at the time, and noticed that Jim Renwick had raised exactly the questions which are now central today, and received the assurances from Potter in 1972 which you in your press conference hadn't even heard of. Four years later we are still paying the price, for a promise that was never delivered, to labs out of the public purse. Given studies that you've said you've initiated, yet nothing has come of it. That just seems to me to be absolutely inexcusable.

[5:45]

Let me take it the next step, Mr. Chairman. What is even more inexcusable than the total

amounts paid out and then OHIP's clear incompetence in this field, is the emerging revelation that these private labs—some of them; one of them spectacularly—may well be involved in unscrupulous billing practices and corrupt kick-back practices and all of this with public money.

I may say that that really is pushing the opposition, and therefore the public, to the wall to understand what is the rationale behind government policy? We are not talking about profit in this instance. We are not talking about profit; don't deal with us in terms of bogies.

We are dealing with whether or not you can justify this kind of increased health cost without scrutiny, when it may even have illegitimate and unsavory practices associated with it. But you never demonstrated the same passion about the private labs that you demonstrated about all the little hospitals.

(You didn't say to me, as you said with that cocky spunk of yours after we had had a little television programme together: "I am leaving from the Grosvenor St. exit of the Parliament buildings tomorrow morning, 8 o'clock. My licence plate is Ontario 009; follow me if you will. I am going west.")

**Hon. F. S. Miller:** You asked me.

**Mr. Lewis:** You didn't say: "I am going out to a laboratory to look at their books," did you?

**Hon. F. S. Miller:** You pondered that question.

**Mr. Lewis:** No. You didn't say, "I am going out to a private lab to close it down." You didn't say, "I am going out to start a judicial investigation into the abuse of public funds." No. You said you were going out to close some helpless little community hospital because you won't take any action where it should be taken. Some bravado for the minister.

**Hon. Mr. Miller:** You are using the oldest technique in the game.

**Mr. Lewis:** You are pretty tough, you Tory people, when it comes to restraint in the health sector, when you can deal with vulnerable communities. Boy, are you tough at the expense of the little communities. You can make a case for political restraint but you absolutely refuse to deal with the fundamental questions of the relationship between some members of the medical profession and the private labs; about the behaviour of the private labs themselves; about all of

the costs associated with it; about what it means for the health delivery system. All of those fundamental questions which amount to the costs for Ontario, you refuse to deal with. But when it comes—

**Hon. F. S. Miller:** May I interrupt you for a second?

**Mr. Lewis:** Yes, you can interrupt, with pleasure.

**Hon. F. S. Miller:** You keep on talking about the little communities on the assumption I did nothing to the larger ones. Eighty per cent of the total cuts in this round came out of cities; 20 per cent out of rural Ontario.

**Mr. Lewis:** We will deal with the cuts, wards and staff—these staff that you feel the state isn't responsible for—on vote 2 and we will deal with them in the Throne Speech. For the moment what I am doing, and doing very deliberately, is juxtaposing those small community hospitals against the clear area of saving which you, for whatever reason, refuse to take.

I must admit that when I listened to the member for Huron-Middlesex (Mr. Riddell) I can feel for him; as in fact you can. I have visited Durham; I have visited Goderich; I have visited Clinton; I have visited Paris-Willett; I have visited Doctors'. I have met with the medical boards and the concerned citizens, the various staff members and the various boards of directors. I want to tell you I haven't seen a case made for one of those hospitals yet.

I have looked at the confidential report you left behind for Clinton. I just can't wait to get our teeth into that when we come to vote 2. I have looked at the material which the Ministry of Health supplied to the long-term-care study group in Brant county on Paris. A greater set of contradictions and inconsistencies I haven't laid my eyes on and can't wait until we get into vote 2. We have seen the kind of stuff that comes out in a detailed way about Doctors Hospital and the same thing applies.

The Chairman is about to call me to order so I will come back to what I was originally pointing out: That is, very simply, there is no rationale for those little hospital closings; there is even less rationale when you look at what you might save.

You said to the press, or somebody said to the press, that you were considering three or four way of dealing with these private labs. One of those ways was positively delicious. It could only come from the Ministry of

Health. You thought you might put a surcharge on the patient who is referred to the lab.

Now that's not bad. It is in an article from the Ministry of Health—one of your four suggestions. Suggestion No. 4 was a deterrent fee for the patient. Now that takes creative inspiration. That's really something. Your first solution, which is probably the one you'll arrive at, was equally inspired. You'll lower the payments to 60 per cent of the OHIP fee schedule.

You'll notice that it never occurs to the ministry to deal with the fundamental problem which is how the devil is it working and why is it working in this fashion and what went wrong? You'll find every other rationale or excuse in the world but you won't deal with the fundamental problem because it involves, may we suggest, a direct confrontation with the medical profession. Not those who would distort medicine, because a vast majority of the medical profession are committed to the science, but those who have too easily used the relationship between labs and doctors—or should I say abused the relationship between labs and doctors.

We come to the next point which relates to the question which the new leader of the Liberal Party raised with you today. I thought it was absolutely dead on—how come you move in on small community hospitals? You have this incredible documentation of waste, inefficiency and, perhaps, corruption in the private labs and you choose to save \$400,000 on the public labs. Can anything be more foolhardy and more offensive to the communities than that kind of decision, because they understand it? I don't expect Woodstock or North Bay or St. Catharines or Kenora had that full a knowledge, as a community, of their public labs but North Bay alone got 20,000 to 25,000 signatures against the government's decision on the North Bay lab involving 11 employees, simply because of the absurdity of the way it was executed and the illegitimacy of the decision itself. Imagine arousing whole communities on that basis. No illegitimacy? You closed down the lab; then, two weeks later, after public pressure is put on, you make arrangements to re-employ all the staff in other sectors of the government—in other parts of the public sector. Yet your original saving rationale was the elimination of the jobs. You explained that earlier this afternoon in response to others.

**Hon. F. S. Miller:** Not the individual ones.



**Mr. Lewis:** The positions are now being absorbed in other parts of the public sector. Where is the saving? Perhaps the saving is in the courier service you are establishing to take the samples from North Bay to Timmins, North Bay to Sudbury, North Bay to Orillia and North Bay to Toronto. Would you like to give anyone in this House a dollar value of the courier service?

Would you like to tell us how much it costs to provide the containers within which the samples have to be transported so they won't freeze in the winter or melt in the summer because some genius in your ministry suddenly discovers that you can't convey samples without special transportation equipment? Would you like to tell us how much it is going to cost to bring the mobile units in to North Bay to do what the permanent lab can no longer do, with the special screenings for kidney ailments, for kids in the elementary school?

Would you like to explain to us after it is all over how the devil you're really going to save on these public labs and what possible argument you can construct, as a minister, which justifies \$400,000 off the public labs and not a penny off the private labs? How is it you show such enthusiasm to move on the public sector illegitimately and so little enthusiasm to move on the private sector with absolute legitimacy?

How is it that you've not attempted by the year 1976 even the slightest rationalization of the lab services in Ontario? Why is it that you cannot stand before us and say: "Here is the role of the public lab. Here is the role of the hospital lab. Here is the role of what remains for the private lab and, as a result of this rationalization, we will save these moneys"?

No, because that gets at the root of the problem, that gets at health delivery. Instead, you wander off to the small rural communities and close down hospitals. It's so much easier and it builds the dramatic high-profile, totally cynical objective of saying to Ontario, "We have the guts to support restraint. Endorse what we're doing even if you don't like the way we're doing it."

I must say I think the people of Ontario, as the other perspectives are provided in the Legislature over the next weeks, are going to find all of that behaviour pretty blessed offensive.

We come back to what we've put to you before and want in all earnestness to put to you again. There must be a select committee of this Legislature or a judicial inquiry established by the government into the labs. As a

matter of fact, there must be a judicial inquiry established into the whole private lab operation; the way they make charges; the procedure about samples that are taken; how it is checked and whether or not there are any unsavory or abusive relationships between doctors and private labs.

The select committee of the Legislature could do an enormously useful job in appraising the odious operation as it relates to the private labs and in working out a rationalization of the public labs, hospital labs and private labs. We appeal to you as strongly as we can to do just that because it's the only way we're going to work our way out of the laboratory morass.

I will take my seat. There are many ways in which we could trim here and there in the health system. We have not been shocked in this caucus into the kind of rout that you would wish to impose on politicians when you talk about health expenditures because we've noticed that, as a percentage of the gross provincial product, health in Ontario has ranged from roughly 4.2 per cent or 4.3 per cent to 4.7 per cent or 4.8 per cent over the last five years. That's not undue. As a percentage of provincial expenditures in the budget, health has declined from around 30 per cent in 1970 to around 26 plus per cent in 1975.

No one should be stampeded by the absurdity of the ministry. You can save money in health legitimately without doing violation to whole communities, to thousands of working people in an illusory and indefensible way. And if you wanted to, you could have saved your whole \$43 million over the last couple of years from the private lab system alone at the very least, save it now in the private lab system and restore, we say to you, every single community hospital you closed.

Hon. Mr. Welch moved the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Welch:** Mr. Speaker, before moving the adjournment of the House may I indicate that tomorrow, following question period and orders of the day, we will take in debate second reading of Bill 2, introduced this afternoon by the Minister of Education (Mr.

Wells). Following the consideration of that legislation, we will then resume the estimates as indicated.

**Mr. Lewis:** Sorry, what estimates? Will the Minister of Health be here tomorrow afternoon, if we finish the bill before us?

**Hon. Mr. Welch:** If we finish Bill 2 before 6, then we'd have to do Housing.

**Mr. Speaker,** I'm sorry, as you know, we will take the Throne Speech into considera-

tion tomorrow too, tomorrow being Thursday. We will have the mover and seconder in the Speech from the Throne and, following that, Bill 2. If there is still time before 6 o'clock, we'll do Housing and then back to Health estimates in the evening.

**Hon. Mr. Welch** moved the adjournment of the House.

Motion agreed to.

The House adjourned at 6 p.m.



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Ontario. Legislative Assembly

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Thursday, March 11, 1976

Afternoon Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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THURSDAY, MARCH 11, 1976

The House met at 2 p.m.

Prayers.

**Mr. Speaker:** Statements by the ministry.

## FEDERAL-PROVINCIAL JURISDICTION

**Hon. Mr. McMurtry:** Mr. Speaker, on Feb. 18 last, I wrote to the federal Minister of Justice requesting that his government direct a reference to the Supreme Court of Canada to determine the constitutionality of the federal anti-inflation legislation and the legality of the agreement entered into between the government of the Province of Ontario and the federal government in relation to the application of the federal anti-inflation programme.

**Mr. Renwick:** The Court of Appeal of Ontario is the proper jurisdiction.

**Hon. Mr. McMurtry:** In furtherance of this matter, on Feb. 20 the provincial Treasurer (Mr. McKeough) and I attended in Ottawa and met with the Minister of Justice and the federal Minister of Finance to pursue our request with respect to an early reference to the Supreme Court of Canada.

Today, Mr. Speaker, the Minister of Justice advised me that such—

**Mr. Renwick:** I cannot understand it. It is in total subversion to the system.

**Mr. Speaker:** Order, please.

**Hon. Mr. McMurtry:** —a reference would, in fact, be directed to the Supreme Court of Canada, and I am advised by the federal Minister of Justice that the details of the reference will be made known later this afternoon.

**Mr. Renwick:** Who would be able to intervene on behalf of the people let alone the government of the country? This is the most improper statement made by you.

**Mr. Speaker:** Order, please.

**Mr. Renwick:** This is the most improper statement that has been made by you.

**Mr. Speaker:** Order, please, the member for Riverdale.

**Hon. Mr. McMurtry:** Mr. Speaker, please tell the hon. member opposite to learn how to behave himself; he has been here long enough.

**Mr. Speaker:** Order, please.

**Mr. Renwick:** I rise on a point of privilege. My privilege and the question I put to the Speaker is, is it the role—I would like to have the attention of the Attorney General and not the smile. The Attorney General plays to the cameras all the time, let's get it straight.

**Mr. Deans:** He even brought the cameras in so that he could play to them here.

**Mr. Renwick:** My question to the Speaker of the assembly is a very simple one: In the democratic system, as we understand it in this province, is it proper, when there is a case before the courts of the Province of Ontario, for the Attorney General and his cohort, the Treasurer of Ontario, to interfere in the regular judicial process which would permit a case before the courts to go to the divisional court, to the Court of Appeal of Ontario and to the Supreme Court of Canada?

**Hon. Mr. Wells:** You are debating.

**Mr. Speaker:** Order, please.

**Mr. Renwick:** The reason I ask that question is that the rule—

**Hon. Mr. McMurtry:** Mr. Speaker, I would like—

**Mr. Renwick:** Mr. Speaker, will you hear me out?

**Mr. Speaker:** Order, please. The hon. member will continue.

**Mr. Renwick:** May I continue my point of privilege? When a matter is sub judice, which is part of the standing orders of this Legislature, is it appropriate or proper for the Attorney General of the province to subvert the system by intervening, as he

has done in the assembly? I refer to the precedent set out in the Legislature about the ruling on sub judice, and in particular to my letter to the Attorney General about this very intrusion which he has made upon the system of justice in the province.

**Mr. Speaker:** I am in no position to comment on anything that is before the courts and therefore sub judice at this point in time.

**Mr. Renwick:** There is, Mr. Speaker.

**Mr. Speaker:** I am not aware of that, so I haven't anything further to say at this time.

**Mr. Bullbrook:** What brought this all on anyway?

**Mr. Singer:** Where is the sub judice rule? Which rule is that?

**Mr. Speaker:** Order, please.

**An hon. member:** Simmer down.

**Mr. Renwick:** I won't simmer down at all. You don't understand the constitution of the country. He doesn't have the dignity—

**Mr. Speaker:** Order, please. Will the hon. member for Riverdale please obey my request?

**Mr. Renwick:** He doesn't even have the dignity to reply to the letter that I addressed to him on the subject.

**Mr. Speaker:** Order, please. I think I will give the Attorney General a moment to respond.

**Hon. Mr. McMurtry:** I have been called upon to reply to what I view, Mr. Speaker, as a most ludicrous and irresponsible statement made by the hon. member for Riverdale.

Interjection.

**Hon. Mr. McMurtry:** To suggest that the Attorney General of this province is in some manner subverting the—

**Mr. Renwick:** You certainly have.

**Hon. Mr. McMurtry:** —justice processes, or indeed the constitution of this country because it is our desire to have a ruling on this matter by the highest court of the land at the earliest possible opportunity—

Interjection.

**Mr. Speaker:** Order.

**Mr. Renwick:** And it will never have the benefit of the Court of Appeal of the Province of Ontario.

**Hon. Mr. McMurtry:** It should be understood by my friend that this is in the very real interest of the administration of justice of this province. There will obviously be a number of interveners in the Supreme Court of Canada in order that all interests will be represented.

For the member to suggest that the Attorney General was subverting the administration of justice, in my view is the most irresponsible statement that I have yet had the privilege to hear in this Legislature.

Interjections.

**Mr. Speaker:** I would ask that the matter be dropped. Order, please.

**Hon. Mr. McMurtry:** Mr. Speaker, in view of the seriousness of my friend's allegation—

**Mr. Nixon:** The Speaker said to sit down.

**Mr. Cassidy:** You are subverting this House as well.

**Mr. Speaker:** Order, please. There is obviously a difference of opinion. We will begin the question period. I will call upon the Leader of the Opposition to put his first question.

Oral questions.

**Mr. Lewis:** Thank you, Mr. Speaker. I have carefully evaluated the arguments of the Attorney General and the member for Riverdale. I agree with my colleague.

Interjections.

## RESIGNATION OF JEFF PERKINS

**Mr. Lewis:** I would like to put my first question, if I could, to the Chairman of Cabinet: I gather that on Jan. 28, the Chairman of Cabinet was assigned the overall responsibility for co-ordination of policy in relation to native affairs on behalf of the government. Can I ask him in this new capacity what extraordinary bureaucratic foul-up occurred to force the resignation of Jeff Perkins, the co-ordinator for the government of activities in Grassy Narrows and Whitedog in the northwestern part of the province?

**Hon. Mr. Brunelle:** I would say that Mr. Jeff Perkins—I have known him for quite some time—is a very able and excellent resource officer. He used to be in my area and



did excellent work and then he was transferred to Kenora and continued his work with the native people as a community resource officer under the Indian community secretariat.

I believe it was some time in January that he was appointed a special co-ordinator to provide special assistance to the two reserves, the Whitedog and the Grassy Narrows Indian reserves, which were, as the hon. Leader of the Opposition knows, severely affected by the contamination of the English-Wabigoon river system. The federal government, in turn, also appointed a co-ordinator, a Mr. David Jacobs, I believe, also to provide assistance. I visited those two reserves about two weeks ago and I was quite impressed with the work that is being done by the two levels of government, working closely with both Indian bands.

I was surprised to hear that he was leaving us. At the same time, he has only been, as far as I know, with the ministry for two years. Prior to that, I believe he was in the Northwest Territories and now he is going to the Province of Alberta to work again in a similar role. So again, I believe it's a personal decision on his part and again I regret very much that he is leaving us. However, we certainly will be filling his position.

**Mr. Lewis:** By way of supplementary, does the minister realize that in the process of leaving his post, he indicated publicly that the reason involved the difficulty, the impossibility for him, of dealing with the bureaucracy in the Ministry of Natural Resources at Queen's Park and that he could not fulfil his mandate to the people of Whitedog and Grassy Narrows because of the interference of government? Is the minister prepared to correct that and how can he explain it?

**Hon. Mr. Brunelle:** I would say to the hon. leader that what he should do is get in touch with both Indian bands in those communities and they will attest to the positive steps that have been taken. This government has allocated \$50,000 specifically for those two bands. A substantial part of those amounts has already been spent in resource developments and so forth. I would say that the hon. member should get his facts first before—

**Mr. Lewis:** I spoke to Mr. Perkins this morning.

By way of a supplementary, did the minister know that the straw that broke the camel's back was a request for \$1,000 for Whitedog for women to do handicrafts and that that couldn't even be cleared sufficiently

quickly to allow the band to use the money? [2:15]

**Hon. Mr. Brunelle:** I wasn't aware of that specific request but, again, I would like to show that substantial sums of money have already been sent in the last month to assist the Indian bands.

#### GRANTS TO CHILDREN'S AID SOCIETIES

**Mr. Lewis:** Mr. Speaker, a question to the Minister of Community and Social Services: Am I right in understanding that the Metropolitan Toronto Children's Aid Society, in 1975, had a disagreement with the ministry over the total amount of the budget which should go to that society? The society said it needed roughly \$19,700,000, your ministry said only \$19 million and it went to a board of review which decided that the figure would be \$19,400,000 plus. If that is so, and that is provided under the Child Welfare Act, why then do you base your increase to the Metro Children's Aid Society on the lower figure which you determined and which the board of review repudiated?

**Hon. Mr. Taylor:** May I explain that initially it wasn't really a dispute insofar as the initial budget of the Metropolitan Toronto Children's Aid Society was concerned. Of course, it was reviewed and approved at a certain figure. There was a dispute in regard to the number of additional personnel that the Children's Aid Society thought it should hire and which it did. As a matter of fact, I think it wished to hire an additional 115 persons up to the end of last year. I believe they've hired about 91. The appeal process was exercised and the hearing took place. The recommendation was made. I accepted that recommendation and provided the additional funding.

Insofar as Children's Aid Societies throughout Ontario are concerned, it has been the practice in past years to carry operating deficits into the next year and then to incorporate those operating deficits as a part of the base and build from there. I looked upon the additional money that was required as an operating deficit and, of course, that wasn't included, in accordance with the guidelines which applied and apply to the 50 Children's Aid Societies throughout Ontario.

Insofar as the impact of that is concerned, of course, much has been said in terms of the effective rate. May I say, while I'm on

my feet, that several weeks ago I met with the chairman and directors of the Toronto Children's Aid Society in connection with the particular problems surrounding that society, and the whole budgetary problem has been under review since then on a day to day basis with our respective staffs. I expect to be meeting with Mr. Edwards early next week to finally resolve the matter of the budget.

Again, if I can impose upon the time of the House to explain in conjunction with this question, I have indicated that I was actively seeking additional funding because of the transfer of burdens to Children's Aid Societies because of such things as the repeal of section 8 of the Training Schools Act. I have done that and I may say that I feel confident of success in that area and I expect that whole matter to be resolved.

In the meantime, the board of directors of the Metropolitan Toronto Children's Aid Society indicated and promised me that we would deal in good faith on an ongoing basis and there would not be any pressure through publicity action to try to interfere with that process.

**Mr. Lewis:** They're quite desperate.

**Mr. Cassidy:** You're blackmailing them. You're telling them to shut up.

**Hon. Mr. Taylor:** Unfortunately, the president has informed me that he is unable to control the activities of his staff and the association, and he apologized for that. But I am confident that early next week we'll have the whole matter resolved to our mutual satisfaction.

Interjection.

**Hon. Mr. Taylor:** That's not a question. When you ask a question, I'll respond to your question.

**Mr. Lewis:** May I ask then by way of supplementary, does the minister recall the name, and could he give it to the Legislature, of the person who chaired the board of review, whose decision he repudiated by refusing to base the increase upon that decision? Can he promise us now that the amount of the budget on which the increase for the Children's Aid Society will be negotiated will be the board of review level so that that society does not have to strip its preventive services and take kids out of institutional care because of the folly of government?

**Hon. Mr. Taylor:** Again the member is making an accusation; he is making a statement which is not based on fact at all. It is just another distortion that he proposes as accurate.

**Mr. Lewis:** That's what they have said.

**Hon. Mr. Taylor:** Just a minute.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** Mr. Speaker, on a point of order—

**Hon. Mr. Taylor:** Please let me respond to your question.

**Mr. Speaker:** Order, please.

**Hon. Mr. Taylor:** Let me respond. I stated that the report was rendered and I accepted the recommendations of the report. The member has just accused me of repudiating the report.

**Mr. Lewis:** Who was the chairman?

**Mr. Speaker:** Order, please.

**Mr. Lewis:** Who was the chairman?

**Hon. Mr. Taylor:** The chairman of the committee was William McMurtry.

**Mr. Lewis:** Oh, yes? The honourable one.

**Hon. Mr. Taylor:** Yes.

**Mr. Speaker:** Any further questions?

**Hon. Mr. Taylor:** Not honourable now.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** That's whose words you threw out in the process.

**Hon. Mr. Taylor:** He has always been an honourable person and a very capable person but he's not a member of this House, if you are trying to impute that.

**Mr. Lewis:** Then you should have accepted it.

**Mr. Speaker:** Any further questions? A supplementary, the member for Bellwoods (Mr. McClellan). I am sorry, one moment; the member for St. George with a supplementary first.

**Mrs. Campbell:** May I get through to this minister and just get a simple answer to a simple question?

Interjections.



Mr. Ferrier: Good luck.

Mrs. Campbell: Is it not a fact that the 5.5 per cent increase which you have allowed to them has been based upon the figure which you permitted to them last year and not upon the figure approved by appeal? Can the minister answer that directly?

Hon. Mr. Taylor: That's a simple question from a simple person and—

Mr. Speaker: Order, please.

Mr. Cassidy: Withdraw that.

Interjections.

Mr. Speaker: Order, please. I am sure the question period proceedings would proceed much more smoothly if we kept personalities out of this. Does the hon. minister have a short answer for the question?

Some hon. members: Withdraw.

Mr. Breithaupt: Is the Speaker so minded to require the hon. minister to withdraw those remarks?

Mr. Speaker: I consider such comments most unparliamentary and unnecessary and I regret to have heard them. I would think that the hon. minister might withdraw those remarks.

Mr. Lewis: Typical of him.

Mr. Speaker: If he has an answer for the hon. member, would he give it please?

Hon. Mr. Taylor: Well, the simplicity wasn't—

Some hon. members: Withdraw.

Mr. Speaker: Order, please.

Hon. Mr. Taylor: —wasn't intended to reflect on the cerebral abilities of the member opposite.

Mr. Speaker: Order, please. I didn't ask for an explanation of the remark.

Mr. Lewis: Everything to the right of Bob Welch is falling apart.

Mr. Speaker: Order, please. Will the hon. minister please do as we requested?

Hon. Mr. Taylor: I will withdraw the word "simple."

Mr. Speaker: Is there an answer to the question?

Mr. Singer: You are certainly a gracious person.

Hon. Mr. Taylor: Certainly I will.

May I say, in response to the question, that the 5.5 per cent is based upon the approved budget for 1975; that was the basis of the 5.5 per cent.

Mr. Lewis: But not the amount that William McMurtry authorized.

Mr. Ferrier: Or the actual expenses.

Mr. Speaker: The member for Bellwoods with a final supplementary on this.

Mr. McClellan: Since the minister has assured the House that he will be bargaining in good faith with the Metro Children's Aid Society, I wonder if he will give this House an assurance that we will not witness a repetition of the kind of attack he made on the Metro Children's Aid Society on Feb. 16 when he used senseless statistics with respect to the relationship between Catholics and non-Catholics in Metro Toronto which don't bear the scrutiny of the Ontario Association of Children's Aid Societies, where he uses statistics which don't bear up to figures in his own memo of—

Mr. Speaker: Order, please. This doesn't seem to be a supplementary. You will please allow the minister to answer.

Mr. McClellan: I simply want to ask the minister to assure this House that he will in the future avoid attacking agencies which he has put into a vulnerable position by his own actions when they try to assert their rights.

Mr. Speaker: Thank you.

Hon. Mr. Taylor: If that's the question, Mr. Speaker, I will attempt to respond. There has never been any attack by me or my ministry upon any Children's Aid Society in this province. We work together in partnership to share a common concern in connection with the activities of the societies and the care of children in this province and we will continue to do so.

Mr. Lewis: Oh come on. Then accept Bill McMurtry's report.

Hon. Mr. Taylor: Furthermore, it's not a question of bargaining with Children's Aid Societies—

Mr. Cassidy: That's what you are making it.

**Hon. Mr. Taylor:** —to ensure that children who are in need are adequately looked after.

**Mr. McClellan:** What a hollow remark that is.

**Hon. Mr. Taylor:** I made a representation right around this province as I toured this province and met with the various agencies that there would be no child in need who would do without, and I meant what I said.

**Mr. Cassidy:** But you won't do anything about it as you promised.

**Mr. Lewis:** That's nonsense.

**Hon. Mr. Taylor:** We're very sensitive to the needs of children and I intend to ensure that that is carried out in terms of dealing with all of the Children's Aid Societies and it is not a question of bargaining or negotiations.

**Mr. Lewis:** Just on a point of privilege, my supplementary question was based on the evidence from the Children's Aid Society of both staff layoffs of up to 30 people and removal of 45 kids from institutional placement and those are facts, sir. They are not allegations.

#### UNITED ASBESTOS PLANT

**Mr. Lewis:** Now, I want to put a question to the Minister of Natural Resources if I may. Has any further testing been done at the United Asbestos plant in Matachewan since the original test by the occupational health branch in late September or early October, 1975?

**Hon. Mr. Bernier:** Yes, Mr. Speaker, there have been a number of tests in that particular mine site and if the House will permit me I would just like to outline to the members of the Legislature that this particular plant, this new asbestos mine, came into production about last September. It's operating at about 40 to 50 per cent capacity. About June or July this year we hope to have it—at least the company hopes to have it—in full operating condition. There are a number of start-up problems of course, as we all realize, with a new plant.

In direct answer to your question there have been a number of tests. In fact, my inspectors have been there as late as March 2. Health tests have been done or are in the process of being done and reported at this particular time.

I would add further, Mr. Speaker, that my staff have met with the union employees of that particular company, with the safety committee, and you will be interested to know at no time was the dust conditions in the mine raised as a matter of concern to that particular—

**Mr. Lewis:** Oh come on, come on. We know the conversations.

**Hon. Mr. Bernier:** And the member can check the record, sir. He is free to do so. I just want to make the record clear that maybe some of the facts that the Leader of the Opposition is using are not totally correct.

**Mr. Lewis:** Just by way of a quick supplementary, I don't quite understand this number of tests. Is the minister saying that the occupational health branch is in the process of retesting the workplace for the workers now or retested it recently after the weekend shutdown? There have been no concrete occupational health tests that we yet know the results of since late September or early October, I take it?

**Hon. Mr. Bernier:** I just informed the member that there were tests recently taken.

**Mr. Lewis:** When?

**Hon. Mr. Bernier:** Within the last week.

**Mr. Lewis:** Within the last week?

**Hon. Mr. Bernier:** Yes, we are waiting for the results of those tests.

**Mr. Martel:** Was that after you had it closed for the weekend?

**Mr. Speaker:** Order, please. The member for Hamilton West has the floor. Thank you.

#### DENTAL TECHNICIAN FACILITIES

**Mr. S. Smith:** A question for the Minister of Colleges and Universities: Has the minister finally persuaded his cabinet colleagues not to waste \$750,000 by establishing a course for preventive dental technicians in Sudbury when, as he well knows, there is an already adequate programme in North Bay?

**Hon. Mr. Parrott:** There is a very long answer to that and I'm prepared to give it.

Some hon. members: Go ahead!

**Mr. Yakabuski:** Good, you'll get more TV time.



**Mr. Bullbrook:** Good, that's the kind of spunk we like to see.

[2:30]

**Hon. Mr. Parrott:** First of all, we've decided that there will be level 2 hygiene courses in both North Bay and in Sudbury. We think there is great value in those courses being established not only so that the people of the north will have perhaps more educational facilities than the people of the south. There is a far larger area to serve and we think that's valuable.

We think it's important that you look at some of the ramifications of what that programme might do for the profession at large. It's very necessary to have facilities scattered as best we are able so that the profession, as well as the auxiliaries, will have facilities at their disposal to update their own education. Given those leads, I think there's every justification for having facilities in three locations in the north. There will be 11 locations in all.

We have reduced from \$750,000 to \$420,000 the amount of dollars allocated to the dental programme in that particular institution. We think now that we do have a very balanced programme in Ontario for the education of the dental auxiliaries not just as it pertains to one level but, indeed, for the three levels of dental auxiliaries that were previously known as one.

**Mr. S. Smith:** As a supplementary: In view of the fact that the minister well knows that North Bay has already been well equipped to handle this with the limited number of dentists in the north and the limited number of positions for these technicians, and in view of the fact that the minister himself expressed to officials of Canadore College in North Bay that the Sudbury programme is unwarranted, and in view of the fact that the minister—

**Mr. Renwick:** Question?

**Mr. Speaker:** Order, please. I think it has been established that the member should ask a question.

**Mr. S. Smith:** I am getting there.

**Mr. Speaker:** Will the member ask the question?

**Hon. Mr. Rhodes:** I thought the member didn't like the north.

**Hon. Mr. Davis:** One question at a time.

**Mr. Sweeney:** What's the matter? Is the government worried about the answer?

**Mr. Speaker:** We're not supposed to be presenting a lot of information during question period.

**Mr. S. Smith:** In view of the fact that \$750,000 in capital expenses will be required to put these dental chairs into Sudbury and in view of the fact that the minister has asked the North Bay people to cut back on the number of people taught there—

**Mr. Speaker:** Is there a question now, please?

**Mr. Renwick:** Question?

**Mr. S. Smith:** —will he reconsider his decision to duplicate unnecessarily a facility which will produce more technicians than can possibly be absorbed in the north of this province?

**Hon. Mr. Parrott:** I'm afraid that the leader of the Liberal Party either didn't hear all of the first answer or didn't comprehend it.

**Mr. Shore:** He didn't accept it.

**Mr. Good:** Or doesn't believe it.

**Hon. Mr. Parrott:** I'm not too sure which, but let me go over the facts once more.

**Mr. Martel:** He doesn't like the Soo either.

**Hon. Mr. Rhodes:** That's right. He doesn't. Or Sudbury or North Bay.

**Mr. Speaker:** Order, please. You're wasting the time of the question period.

**Hon. Mr. Parrott:** I never said, nor would I infer that a level 3 programme was ever desired in all locations in Ontario. The member is talking about a level 3 programme which I said was not necessary. Never did I say that about the level 2 programme.

**Mr. R. S. Smith:** He is talking about level 2.

**Hon. Mr. Parrott:** I'm afraid the member is totally mistaken in the observation he just made.

**Mr. Speaker:** Are there any further questions?

**Hon. Mr. Rhodes:** A supplementary again?

**Mr. Martel:** Mr. Speaker, I hope we can have assurance from the Minister of Colleges and Universities that he will not play the game that the new Liberal leader has, of

trying to cut back facilities in other communities.

**Mr. Speaker:** The question?

**Mr. Martel:** I'm just looking for assurance, Mr. Speaker, that we won't have this happen to us in the Sudbury basin.

**Hon. Mr. Parrott:** I am more than pleased to tell the member that we are more than servicing—and with a very equitable distribution of those services—the north and the south. I believe we have done that in a very logical and sensible fashion. Three of the locations are in the north; that's as it should be. We will have an excellent programme in all phases of hygiene.

**Mr. S. Smith:** That's not what you said in North Bay.

**Mr. R. S. Smith:** A supplementary, Mr. Speaker: Is it not a fact that the minister made a statement at a bear-pit session he held at the college in North Bay that the decision to go into Sudbury was made before he was minister and was irreversible because it was made before he was made a minister?

Secondly, would he not agree that within a period of two years we are going to have an overflowing of the market for level 2 dental assistants? Would he tell us where those people are going to go for employment, other than the fact that we are going to have the drain of our young people from the north to the south perhaps, and that is apparently the policy which he is following?

**Mr. Yakabuski:** Denticare programme coming.

**Hon. Mr. Davis:** Richard, you are being silly.

**Mr. Speaker:** Is there an answer?

**Hon. Mr. Parrott:** I am not at all convinced that we will have an overflowing, but if we do I think we've answered an immediate need for the profession to have an adequate supply of level 2 dental auxiliaries, and that is most important for the dental health of this province. It is the one way that we can adequately prevent dental disease. It is not by graduating more dentists; it is by having an adequate number of preventive dental assistants.

That programme will come to fruition in about another year. Given a good result of that programme—and I believe in it implicitly—we will then see far less need for

dental services. I would be more apt to think we might be able to cut back on the number of dental graduates rather than the number of preventive dental graduates, because the future of dentistry rests in preventive dentistry, not in corrective dentistry, which is part of the problem.

**Mr. Speaker:** Did the member for Nipissing have a further supplementary?

**Mr. R. S. Smith:** Yes. My further supplementary is this: Could I ask the minister to answer my first question?

**Mr. Speaker:** We have spent quite a bit of time on this, and I think we should have a new question from the member for Hamilton West.

### QUEENSWAY-CARLETON HOSPITAL

**Mr. S. Smith:** I have a question of the Minister of Health. Could he explain to the House why his ministry has found it necessary to inform the director in charge of the newly built and long-awaited Queensway-Carleton Hospital in Ottawa—which by his own ministry's admission has a shortage of beds—that the hospital must not open before receiving specific further instruction from the ministry? This is a great worry to the people of that area and I would like to hear his explanation.

**Hon. F. S. Miller:** Mr. Speaker, first of all, the Queensway-Carleton Hospital has been co-operating with us through the district health council in Ottawa to assist us in relieving some of the problems in Ottawa. They have volunteered to give up their obstetrics section and I understand it is opening—if it hasn't already opened—as quickly as those facilities are open, as a chronic ward. They just don't need obstetrics anymore. That was a local decision made by local people. They have also volunteered, I understand, to give us another 43 of their beds for chronic purposes as quickly as they are ready for use. That may be a month or two yet.

It's pretty normal for us to gauge the opening of a hospital in a given area to match up with the dollars available for it. I think this is the only caution we put, "Please do not start facilities until we have ensured you the money to operate during the balance of the year." When they have told us they are ready, we will be able to match our dollars to their budget.



## PROPOSED RECREATION COMPLEX IN VAUGHAN

**Mr. S. Smith:** I have a question of the Treasurer. With reference to the proposed "midway" complex on 320 acres of agricultural land in part of the town of Vaughan, could the Treasurer explain to us why he and members of his government have not made it very clear that there is simply no way that particular complex will be tolerated by this provincial government?

**Mr. Lewis:** He has made it clear.

**Mr. S. Smith:** No, he hasn't. Read the letter.

**Hon. Mr. McKeough:** Mr. Speaker, basically we would not want to take that position until we had heard the position of the local municipality and the region of York.

**Mr. S. Smith:** Will the minister undertake to report to this House on the volume of garbage that will be generated by this midway proposal, plans for its disposal and, in addition, the amount of energy that it is calculated this particular midway will use?

**Hon. Mr. McKeough:** I will certainly take that under consideration, Mr. Speaker.

**Mr. Lewis:** How gentle of him. Well, he is but a lamb with all the lights around him. May I ask the minister, am I not right in recollecting that he has written letters about the midway complex indicating his basic displeasure, or his basic hesitation, about the development of a project in that particular area and indicating that he wasn't inclined to approve it? Has he in fact heard further from the municipality?

**Mr. Renwick:** We could read the frown in his letter.

**Hon. Mr. McKeough:** I have written that sort of a letter but I have not indicated that it is something that I would be approving or disapproving. Essentially it will be a determination of the region, although the promoters have come to us and I believe will meet with us next week. They're meeting with a number of ministries. They have certain environmental studies and we'll be glad to take a look at them all. But, essentially, a determination will be made by the region which, to my knowledge, I don't think we've heard from.

## HOSPITAL CLOSINGS

**Mr. Grossman:** A question of the Minister of Health: Has the ministry, in making its calculations of the alleged \$6.5 million saving in closing the Doctors Hospital, taken into account the termination and sick pay which will have to be paid upon the closing, which I'm informed this year will amount to approximately \$1 million?

**Hon. F. S. Miller:** Mr. Speaker, I dare not make any more comments to voices behind me because I understand the new Leader of the Opposition starts looking at my Freudian problems as a result of that, right?

Interjections.

**Mr. S. Smith:** Just the leader of the Liberal Party. Don't burden me with that bunch.

**Hon. F. S. Miller:** That's a Freudian slip too.

**Mr. Lewis:** I see you as a Marxist not a Freudian.

**Mr. Speaker:** Order, please. Is that the answer to the question?

**Hon. F. S. Miller:** And I want you to know we shall overcome.

**Mr. Nixon:** How is the member for St. Andrew-St. Patrick doing? Is that satisfactory?

**Mr. Speaker:** Is there a further answer to the hon. member's question?

**Hon. F. S. Miller:** I think, Mr. Speaker, while I recognize the hon. member has legal training, that in the House he doesn't need to use the word "alleged." Those savings are definite.

**Mr. Grossman:** Oh yes I do; so far I do.

**Mr. MacDonald:** An engineer's retort.

**Mr. Nixon:** How would the member for St. Andrew-St. Patrick like to be Minister of Health?

**Mr. Grossman:** If I thought it was soon I might consider it.

Interjections.

**Hon. F. S. Miller:** Mr. Speaker, the savings we showed are annualized operating savings based upon those which will be made once the hospital closes and we have allowed for the cost of transfer of patients and other costs associated with the closure. They would go on from the date of, let's say, winding up of

assets or of obligations to employees. Of course, in the first year the costs associated with the closure will minimize total savings.

**Mr. Grossman:** Supplementary, Mr. Speaker: Is it then the case that when all the calculations are completed, including the addition of the \$1 million involved here, that with relocation and other unusual costs this year there may not be any savings whatsoever in the closing in the 1976 fiscal year?

**Hon. F. S. Miller:** Not at all, Mr. Speaker, as a matter of fact, I could have argued that the savings are greater than \$6.5 million, because they are based on 1975-1976 budgets; 1976-1977 budgets would have been inflated by a minimum of 10 per cent, that's \$650,000, and that would come very close to the cost the member just described.

**Mr. Speaker:** We will allow one supplementary on this; the member for Ottawa Centre.

**Mr. Cassidy:** Could the minister give us the specific figure for the number of dollars that he alleges will be saved in this coming fiscal year through the closing of the Doctors Hospital? He is not giving a clear answer now at all.

**Hon. F. S. Miller:** I have found a great deal of difficulty in four years in ever making the member think I had a clear answer on anything.

**Mr. Lewis:** That's quite true.

**An hon. member:** That's your problem, not ours.

**Mr. Speaker:** Order, please. Does the hon. minister have an answer?

**Mr. Singer:** That's one of the minister's problems.

**Mr. S. Smith:** You need psycho-analysis.

**Hon. F. S. Miller:** The savings in this year obviously cannot be determined until the date of the closure is finalized. The date of the closure will not be finalized until in fact the appeals have been heard and we have been able to set a date by which the hospital should be closed.

#### FEDERAL-PROVINCIAL JURISDICTION

**Mr. Renwick:** Mr. Speaker, if any part of my remarks should be misconstrued as a ministerial statement I hope you will extend the question period.

**Mr. Speaker:** Ask the question.

**Mr. Lewis:** You might say we are enjoying things.

[2:45]

**Mr. Renwick:** There are so many questions to ask of all the ministers that I have decided today to direct my remarks for this month to the Attorney General of Ontario—and I want to ask him a two-part question.

**Mr. Lewis:** That's Bill McMurtry's brother over there.

**Mr. Renwick:** It may be difficult for the Attorney General to understand the connection between the two parts; I had some difficulty myself.

The first part of the question is: In the reference which his distinguished friend is going to make to the Supreme Court of Canada, without the benefit of the Chief Justice of Ontario and his colleagues' views about the constitutional impropriety of what he is doing, is specifically the question of the constitutional validity of the agreement between the government of Canada and the government of Ontario going to be before the Supreme Court of Canada?

My second question is—and I am sure that the Attorney General will understand the relationship: Will the Attorney General table in this Legislature, dedicated as he is to the public administration of justice, a copy of every memorandum, directive or instruction which he has given to the assistant Crown attorneys or to the Crown attorneys throughout the Province of Ontario with respect to plea bargaining and other matters before the provincial courts' jurisdiction, so that we will have the benefit as a member of the public, of the specific views of the Attorney General on those questions?

**Mr. Speaker:** I think the hon. Attorney General could answer one of those questions. Even I see no relation between the two.

**Mr. Lewis:** Oh, come on!

**Mr. Renwick:** You are not a lawyer.

**Hon. Mr. McMurtry:** Mr. Speaker, I am quite prepared to answer both questions. The second question I might answer first. I will certainly table any relative memorandums that have been distributed to the Crown attorneys about the province of which I am aware—and I believe that I am, in fact, aware of those that are in existence. But I obviously can't guarantee



that about memorandums of which I do not know.

**Mr. Singer:** You might ask someone.

**Hon. Mr. McMurtry:** With respect to the constitutional reference, I have requested, on behalf of the government, that a specific question be directed to the Supreme Court of Canada in relation to the validity of the agreement entered into by this government and the government of Canada. I believe that was the member's first question.

I am very concerned about my hon. friend's statement that I was in some way interfering with the judicial process in this province in directing this reference to the Supreme Court of Canada. He spoke of certain lawsuits that had been commenced in the Province of Ontario. I think one which he probably was referring to, undoubtedly, was the action commenced by the Renfrew teachers.

I think in fairness, Mr. Speaker, I would like to have the opportunity to quote briefly from a letter directed to the Premier of Ontario (Mr. Davis) from the Ontario Teachers' Federation, of which the Renfrew teachers are represented through the Ontario Secondary School Teachers' Federation. This letter is dated March 6, 1976, Mr. Speaker. It states as follows:

It is the federation's understanding that, while the resolution of this question could be left to judicial review, a more appropriate course of action would be a reference to the Court of Appeal of Ontario or the Supreme Court of Canada. Leaving the question to judicial review raises the likelihood of a multiplicity of proceedings as well as a lengthy delay in reaching a final decision as the matter is taken through the appellate court.

A reference to the Court of Appeal of Ontario, while satisfactory in many ways, is subject to appeal to the Supreme Court of Canada, and this too would cause delay. I think you will agree that, if the agreement were found to be ineffective after a period of one year or more, a large number of otherwise avoidable problems would arise.

It is the federation's opinion that in the circumstances, a reference directly to the Supreme Court of Canada would be most beneficial.

It is the federation's understanding that the Attorney General for Ontario publicly announced that he was considering asking the federal Minister of Justice for

Canada to make such a reference to the Supreme Court of Canada.

Would you be good enough to give consideration to requesting the Attorney General to proceed with this at his earliest convenience so that the intent of the federal-provincial agreement might be implemented with a view to preventing a number of problems which are going to arise, given the legal opinion the federation has.

So, Mr. Speaker, I would respectfully request that the hon. member for Riverdale perhaps consult with the solicitors for the Ontario Teachers' Federation, who have strongly endorsed the course that this government has taken.

**Mr. Renwick:** Mr. Speaker, by way of supplementary, his attitude for the Ontario Secondary School Teachers' Federation, even at this late date, is most commendable. I hope the Attorney General will convey that view to the minister sitting on his right.

**Mr. Speaker:** Is there a supplementary question?

**Mr. Singer:** No, it is just time for a statement.

**Mr. Renwick:** My question to the Attorney General is a very simple one—

**An hon. member:** It sounds like it.

**Mr. Renwick:** —and I won't withdraw it.

**Hon. Mr. Taylor:** A dangerous word.

**Mr. Renwick:** My question to the Attorney General is a simple question. On constitutional matters of immense importance, does it not appear to the Attorney General that the concern about the constitution of the country requires the Court of Appeal of Ontario, under the Chief Justice of Ontario, Mr. Gale—a full court—to have the opportunity to express its views with respect to a matter related to the relationship between the government of Ontario and the government of Canada—

**Mr. Ruston:** Order.

**Mr. Renwick:** —rather than to require this matter to be dealt with directly by the Supreme Court of Canada?

**Mr. Bullbrook:** Come on, Mr. Speaker. Come on!

**Mr. Speaker:** Order, please.

**Mr. Renwick:** Well, my friends, the living-room Liberals, pursue it the wrong way every time.

**Mr. Ruston:** They've turned the cameras off.

**Hon. Mr. Davis:** What is a living-room Liberal?

**Mr. Speaker:** Order, please. I believe the question has been asked.

**Mr. Renwick:** Does he not consider that in the tradition of Sir Oliver Mowat and in the tradition of the Hon. George Ferguson—

**Mr. Speaker:** Order, please.

**Mr. Renwick:** —this question should be dealt with initially—

**An hon. member:** Sit down!

**Mr. Speaker:** Order.

**Mr. Renwick:** —by the Court of Appeal of the Province of Ontario?

**Mr. Speaker:** Order, please. A question like that at this time of the day takes up far too much time. Not being a lawyer—

**Mr. Ruston:** They've shut the cameras off.

**Mr. Speaker:** Order, please. Not being a lawyer, I am not sure whether it is the same question over again or not.

**An hon. member:** He is not sure either.

**Mr. Reid:** Being a lawyer, he's not sure either.

**Mr. Speaker:** Does the Attorney General have a brief answer or was that the same question?

**Hon. Mr. McMurtry:** I have a brief answer. The answer is no.

**Mr. Speaker:** Right. The next question; the member for London Centre.

#### RADIOACTIVITY AT PORT HOPE

**Mr. Peterson:** Mr. Speaker, in view of the fact that this question involves more than one ministry, I would like to direct it to the Premier.

In view of the serious conflicts of expert opinion with respect to the Port Hope situation, is the Premier now prepared to consider a full, open and public inquiry of that situation so that the good people of Port Hope can have some honest, objective information

about what transpired there and what the government is going to do about it?

**Hon. Mr. Davis:** Mr. Speaker, I recognize there is more than one ministry involved in this matter but, in that the Minister of Health has been very closely related to this and has been giving it a great deal of guidance and direction, I would suggest that that question properly should be directed to the Minister of Health.

**Mr. Reid:** He is going to close down the town.

**Mr. Peterson:** May I redirect that?

**Hon. F. S. Miller:** The hon. member will have to repeat it to me.

**Mr. Peterson:** The question is, what steps is the minister taking to ensure that there is an open, objective and honest inquiry of all the facts of the Port Hope situation? As well, I would like to hear what the minister is doing to clean up that situation.

**Hon. F. S. Miller:** Mr. Speaker, it has been acknowledged, even by the federal government of late, that the real responsibility for Port Hope was theirs. I think that fact needs to be realized. The Ministry of Health stepped in because there was a hazard to the people in the town, and not because we created it. The control of the disposal of those goods was entirely the federal government's and up to this point in time has been acknowledged as such because they have been paying for the costs involved in any of the work done. The federal Minister of Energy, Mines and Resources has made this statement publicly. He has said there will be an inquiry. I think the hon. member should call him.

**Mr. Moffatt:** Supplementary, Mr. Speaker.

**Mr. Speaker:** I will allow a supplementary. The member for London Centre first.

**Mr. Peterson:** With respect, Mr. Speaker—

**Mr. Speaker:** If it's very short.

**Mr. Peterson:** —I am not saying this in a partisan way but I believe it's a very serious situation that has very bad implications for the good people of Port Hope—

**Mr. Speaker:** Your question?

**Mr. Peterson:** My question is: What guarantees is the minister going to give those people, being responsible for the health of those people, that they have that full inquiry, that they know the facts, that they can make



decisions with respect to their own community?

**Hon. F. S. Miller:** Mr. Speaker, I am encouraging and will co-operate with the federal government to do just that. But please don't ask me to set up an inquiry into an area where the jurisdiction is not mine. One of the things I pointed out in this whole deal was that, in fact, we needed clarification of the relative borderlines of authority in this kind of area.

I think we acted commendably down in Port Hope. I think the fact that in the papers today, or yesterday, you'll find very encouraging news about the final testing of one family down there who have lived in the home with the greatest known radiation hazard for over 20 years; the best tests available to medical people today showed them to be clear. I hope this has alleviated the fear that quite properly was generated in the minds of many people. We are working with the federal government to try and find out where the other potential sites were. Mr. Gillespie recently told us where he believed them to be, and I can assure the members we'll be looking at some of these sites more intensively in an attempt to prevent any other hidden risk.

**Mr. Peterson:** Supplementary, Mr. Speaker.

**Mr. Speaker:** No. Order, please. The time has now expired and very few people have had a chance to ask their questions.

Interjections.

**Mr. Speaker:** The order has been felt on many sides and in many quarters, so we're not going to place any blame. The question period has expired.

**Mr. Cunningham:** Mr. Speaker, on a point of privilege, if I may.

**Mr. Speaker:** Point of privilege.

**Mr. Cunningham:** I'd like, through you, Mr. Speaker, to possibly get an explanation from the Minister of Correctional Services and the member for "Sanity Island," the justification—

**Hon. J. R. Smith:** What do you call your riding?

**Mr. Cunningham:** —for something that I read in what would appear to be a government-sponsored newsletter; and I quote:

Temporarily, I am the only Conservative member from the Hamilton area, so my constituency workload is substantial. With your help now this situation will see a

dramatic change as the next election brings victory to my fellow Conservatives in adjacent ridings.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Cunningham:** Mr. Speaker, if I may: "Please call 385-9661 to volunteer." Is it my understanding that that is the minister's constituency office funded by public money?

**An hon. member:** Answer the question.

**Mr. Speaker:** Would the member take his seat?

**Hon. J. R. Smith:** Your light just went out.

**Hon. Mr. Timbrell:** All over the world.

**Mr. Speaker:** Petitions.

Presenting reports.

## STANDING COMMITTEES

Mr. Villeneuve (Stormont-Dundas-Glen-garry) from the select committee appointed to prepare the lists of members to compose the standing committees of the House, presented the committee's report which was read as follows and adopted:

Your committee recommends that the lists of standing committees ordered by the House be composed of the following members:

1. **PROCEDURAL AFFAIRS:** Davidson (Cambridge), Givens, Henderson, Johnston (St. Catharines), Lupusella, McCague, McEwen, Newman (Windsor-Walkerville), Nixon, Philip, Rollins, Smith (Simcoe East), Wildman—13.

2. **ADMINISTRATION OF JUSTICE:** Breaugh, Drea, Gregory, Kennedy, Lawlor, Leluk, Moffatt, Norton, Renwick, Roy, Sandeman, Singer, Stong—13.

3. **SOCIAL DEVELOPMENT:** Belanger, Dukszta, Eaton, Ferris, Foulds, Grossman, Jones, Kerrio, Maeck, McClellan, Sweeney, Villeneuve, Warner—13.

4. **RESOURCES DEVELOPMENT:** Bain, Bullbrook, Cunningham, Evans, Gigantes, Johnson (Wellington-Dufferin-Peel), Lane, Laughren, McNeil, Riddell, Samis, Williams, Yakabuski—13.

5. **PUBLIC ACCOUNTS:** Angus, Ferrier, Germa, Grossman, Hall, Hodgson, MacKenzie, McNeil, Peterson, Sargent, Williams, Wiseman, Ziemba—13.

6. **REGULATIONS:** Belanger, Bounsall, Conway, Davison (Hamilton Centre), di Santo, Johnson (Wellington-Dufferin-Peel), Johnston

(St. Catharines), Maeck, Miller (Haldimand-Norfolk), Morrow, O'Neil, Ruston, Young—13.

7. MISCELLANEOUS ESTIMATES: Bryden, Cassidy, Drea, Edighoffer, Evans, Grande, Gregory, Lane, Mancini, McCague, McKessock, Shore, Swart—13.

The quorum of the private bills committee will be 13; the quorum of all other committees will be 7.

[3:00]

Mr. Speaker: Motions.

Hon. Mr. Welch moved that the following supplementary estimates be referred to the miscellaneous estimates committee: Ministries of Housing, Government Services, Revenue, Agriculture and Food, Environment, Transportation and Communications, Office of the Assembly; also that standing committees have authority to sit concurrently with the House while considering estimates.

Motion agreed to.

Hon. Mr. Welch moved that the select committee on Hydro rates be authorized to extend its deliberations until May 1, 1976.

Motion agreed to.

Mr. MacDonald: Mr. Speaker, could I have a brief word on that?

Mr. Speaker: Yes, I think so. I carried it through very quickly.

Mr. MacDonald: The hon. members of the House might be interested in a word of explanation. In the original terms of reference of this committee, we were to examine the proposed rate for 1976. An interim report presented before Christmas did that, but pointed out that the main determinant was the expansion programme of Hydro in the years beyond, and requested permission to continue that study to get a clearer picture of what is the impact of that expansion programme. As members might well judge, the problem of investigating Hydro in the kind of detail that is required for that purpose has proven to be a somewhat longer one than we had originally anticipated, and therefore it will require hearings on into April—we are trying to curtail them—and a careful consideration of the report. It is our hope in the light of this motion that we will have a report before the end of May.

It does raise another matter that I know the Minister of Energy is very cognizant of, that is, that there are statutory requirements

imposed upon Hydro for initiating the process for consideration of its rate for 1977, and there will have to be amendments to the Act to facilitate that this year. I will leave any comments that the minister would like to make in that connection.

Hon. Mr. Timbrell: Responding, first of all, to the latter comments of the hon. member for York South, I would say that the ministry has prepared an appropriate amendment to Section 37(a) of the Act and will be proposing it to cabinet in the next few days and hopefully introducing it to the House in the next couple of weeks.

I am interested and intrigued by his comments about the difficulty, if I can call it that, when one starts to investigate Ontario Hydro. If one looks back at Hansard in November, 1975 and looks at some of the comments of the members of the third party and the debate that occurred in this House in December, one would have got the clear impression that Hydro is a piece of cake, that it is a very simple thing, that you look at a profit and loss sheet and take it from there.

I am pleased to hear the hon. member acknowledge, as I am sure all reasonable members of his committee would acknowledge, that in fact it is a very complicated question and one which I know they are taking very seriously and which of course my ministry and the entire government take very seriously.

We will look forward with anticipation to the comments of the select committee. As I have indicated to the select committee on one or two occasions, am particularly interested in knowing what they are going to recommend on the question of conservation. If there is any one area which is of prime importance to society in general and Ontario specifically, it is the question of conservation, how we can better use our resources to extend their lifetime and to do everything possible to maintain the standard of living and the kind of society that we have in the province at this point.

Mr. Speaker: I believe the motion was agreed to.

Introduction of bills.

[Interruption.]

Mr. Speaker: Introduction of bills. The hon. minister.



## PERSONAL PROPERTY SECURITY AMENDMENT ACT

Hon. Mr. Handleman moved first reading of bill intituled, An Act to amend the Personal Property Security Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Handleman:** Mr. Speaker, I know this is a great anti-climax but this very important bill eliminates the 30-day period which is now required for a secured party to register a financing statement. The remainder of the amendments are purely housekeeping.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order, consideration of the Speech of the Honourable the Lieutenant Governor at the opening of the session.

## THRONE SPEECH DEBATE

**Mr. Speaker:** The hon. member for Stormont-Dundas-Glengarry.

**Mr. Villeneuve:** Thank you.

**Mr. Cassidy:** Your maiden speech.

**Hon. Mr. Bennett:** Sit down.

Mr. Villeneuve moved, seconded by Mr. Grossman, that a humble address be presented to the Honourable the Lieutenant Governor as follows:

To the Honourable Pauline M. McGibbon, QC, BA, LL.D., D.U. (Ottawa), BAA (Theatre), Lieutenant Governor of Ontario.

May it please Your Honour:

We, Her Majesty's most dutiful and loyal subjects of the legislative assembly of the Province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech which Your Honour has addressed to us.

**Mr. Villeneuve:** Mr. Speaker, it is an honour for me to move adoption of the second Speech from the Throne of this 30th Parliament and of the government chosen by the people of Ontario on Sept. 18 last.

While this honour is often reserved for a new member of this Legislature I am pleased to speak, in moving this address, on behalf of the members of my party and as a member who has served in the Legislature for some time.

Those of us on all sides of the House who have served in this assembly have, I think, a

particular reason to support the approach to the priorities of our province set out in the government's programme as contained in Her Excellency's address. The decline of the power of sterling in recent days is evidence of a world economy that is in trouble.

In my constituency, people are quite concerned and anxious about the economic circumstances that they and their children can expect in the months and years ahead. I suspect, if we each think about it for a moment, there is little of more importance in the realm of our duties here in the Legislature than that of providing my constituents and the constituents of all members of this assembly with an economic future which they can count and depend on to maintain a standard of living that gives an equal opportunity to all who apply themselves.

**Mr. Samis:** Say that in eastern Ontario.

**Mr. Villeneuve:** The people of my riding want to know that their jobs are safe; that their farms yield continued good incomes; that their businesses can make a fair profit in the future and that the life to which they have become accustomed in Ontario—good roads, good schools in English and French—

**Mr. Riddell:** And hospitals.

**Mr. Villeneuve:** —good hospitals—

**Mr. Cassidy:** You don't know what's happening with your government.

**Mr. Villeneuve:** —that these things on which they depend are safe and well managed.

En ce qui concerne mes électeurs canadiens-français, ils ont le droit d'être assurés que la qualité de la vie franco-ontarienne supporté par des programmes de gouvernement ontarien, sera protégée par un gouvernement efficace, moderne et sensibilisé au fait français à l'Ontario.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Villeneuve:** These concerns, these desires are perhaps no different from concerns expressed years ago by other Canadians at other times in their own province's history.

**Mr. Cassidy:** Comment Windsor et Essex?

**Mr. Villeneuve:** When I first came to the Legislature in 1948-1949, Ontario had a total budget of less than \$258 million. Health costs amounted to less than \$22 million in total for the province in that fiscal year.

**Mr. Good:** That would just about do the Premier's office now.

**Mr. Villeneuve:** The largest expenditure was education with a little over \$44,221 million.

**Mr. Foulds:** Thousand.

**Mr. Villeneuve:** Thousand, pardon me. Although this province has seen continual prosperity and growth, absorbing almost 50 per cent of the total number of immigrants—

**Mr. Laughren:** Not in the east.

**Mr. Villeneuve:** —who have come to Canada in the last 30 years today in 1975-1976, the total budget is over \$12 billion.

**Mr. Nixon:** Why are we so hard up then?

**Mr. Villeneuve:** I sense that we are, in fact, at a very crucial crossroads in the history of our country and in the history of our province. It is a time for sitting back for a moment and looking carefully at the options before Ontario—the options our province has to choose from.

For example, I guess it is fair to say that there is an option that comes forward from the federal government's approach—regulate everything; control as much as you can; make government bigger; keep government spending high while no one else can afford to expand their own spending because of general economic problems.

**Mr. Nixon:** Still you say it is not enough.

**Mr. Cassidy:** You are opposing the anti-inflation programme, is that it?

**Mr. Villeneuve:** I can say to you, Mr. Speaker, and to my colleagues in this House that the people of my riding won't accept that option.

**Mr. Good:** Against the AIB?

**Mr. Villeneuve:** They won't accept it because they believe that larger government means more bureaucracy, more impersonal dealings with people—

**Mr. Nixon:** Your people know all about that.

**Mr. Villeneuve:** —more insensitivity to the real local and regional problems that people have.

Interjections.

**Mr. Speaker:** Order, please. The hon. member will continue.

**Mr. Villeneuve:** My people also pay high taxes on their earnings which is why they reject more government spending; more civil servants; more expensive control programmes.

**Mr. Nixon:** They have to pay Judy LaMarsh.

**Mr. Samis:** Why did they vote Liberal in your riding, federally?

[3:15]

**Mr. Villeneuve:** Which is why the Dave Barrett option for Canada is also not accepted by the people of my riding. They reject that option, because they sense—

Interjection.

**Mr. Yakabuski:** Smarten up.

**Mr. Villeneuve:** —when the air is taken out of the private enterprise system, when government determines by itself and without advice or consultation the direction of a society, then government has too much power and the individual citizen has too little.

I am also certain that they have no interest in the third option, which a young student in my riding wrote me and described as the hard-hat gloom-and-doom option. These are the people who want you to close hospitals when you are opening them, and open hospitals when you are closing them. These are the people who want to cut back education costs but expect more money for the local school board.

**Mr. Yakabuski:** Right on.

**Mr. Villeneuve:** The people who want to save farmland but don't want government to have authority at the regional or provincial level to do anything about it.

**Mr. Nixon:** Which one are you, Osie?

**Mr. Villeneuve:** It's the backwards-forwards approach that my friends in the third party might have some awareness of, and which they will hopefully try to do something about, because it hurts Ontario as much as it hurts them. It's an option that the people of my constituency want nothing to do with. This is why I am honoured, as someone who has served in this Legislature for a while, to speak in support of the Speech from the Throne.

**Mr. Nixon:** They finally asked you to do something.

**Mr. Villeneuve:** C'est un discours qui démontre un programme pragmatique et



efficace qui va répondre aux besoins actuels de la province, et non aux besoins créés par des fonctionnaires qui sont absolument capables de créer des programmes seulement pour assurer leurs propres emplois. C'est un programme qui ne coûtera pas de nouveaux impôts aux payeurs de taxes.

**Mr. Nixon:** Spoken like a man who speaks French intelligently.

**Mr. Villeneuve:** It is a programme which is committed to creating new opportunities for income security for the Ontario farmer, a security which is vital to the style of life those of us in eastern Ontario have come to enjoy.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Villeneuve:** Representing a rural riding, I will have more to say on agriculture in general on some other occasion. It is a programme which clearly understands the importance to Ontario of our system of justice, and indicates a sensitivity to initiatives with regard to its administration that are crucially important for all of us.

The commitment to the best health care system in the world is a commitment upon which I would like to reflect for a moment.

**Mr. Foulds:** Are you talking about Sweden now?

**Mr. Villeneuve:** Mr. Speaker, it is not an easy task for a Minister of Health to personally go into an area of the province to close a hospital.

**Mr. Sweeney:** It's not necessary either.

**Mr. Nixon:** Not unless his predecessor opened them.

**Mr. Villeneuve:** I can sympathize with any community and its people when a decision is made to close a hospital, and in particular in a rural area where there are already limited opportunities to offset the attraction of large urban centres that offer better chances for employment.

After a careful study by officials of his ministry to make sure that no area of this province would be without needed hospital care, the Minister of Health (Mr. F. S. Miller) accepted this responsibility.

**Mr. R. S. Smith:** That is where you are going wrong.

**Mr. Villeneuve:** Those areas directly affected find it very hard to accept, and this

is understandable. But when you are faced with spiralling costs beyond our capacity to pay, a responsible minister must make decisions and sound government administration is necessary.

The opposition is raising from day to day as many personal, bad news stories as their researchers can find. I don't quarrel with their right to do that, although it would not be the way I would choose to seek improvement in systems or programmes which warranted improvement.

I was recently hospitalized for a period of time. While in the hospital I received great care from a very competent, highly trained medical staff. Modern medical equipment had an important role in assisting with my recuperation. Intensive medical care of this type is very expensive. I was fortunate that this province not only provided the tremendous medical facilities but that it also paid for a very substantial portion of the cost of my hospitalization.

**Mr. Riddell:** You were fortunate that your hospital was there.

**Mr. Villeneuve:** I know of hundreds of other cases where lives have been saved, where premature babies have been given a real chance at life and where old people have been nursed back to health and always they have done so without risk of personal financial debt or setback.

We all know that it isn't that way across the border, in the richest nation in the world. We all know that there was a time when it wasn't that way even here in Ontario.

**Mr. Nixon:** It is a federal programme; it always has been. Paul Martin started it and Mike Pearson finished it.

**Mr. Villeneuve:** So when I see my Minister of Health making cuts—painful and difficult cuts—

**Mr. Foulds:** Incisions, you might say.

**Mr. Villeneuve:** —to keep the system affordable and the standards high, I say to you that I understand what he is doing, and so do the people of my riding. They know what he is fighting for and why.

**Mr. Nixon:** Because it didn't happen to them.

**Mr. Villeneuve:** Anyone who has ever had a sick relative, a personal ailment or a hospital stay knows precisely who he is fighting for—the good people of this great province.

**Mr. Samis:** Are you going to show the Minister of Housing (Mr. Rhodes) the text?

**Mr. Villeneuve:** This is the fundamental challenge that we face in Ontario today: The capacity to order priorities to avoid redundancies and cut back duplication. It takes courage, stamina and leadership, and this government has it.

I urge my colleagues opposite to claim no monopoly on concern about these cutbacks. But if they choose to remove themselves from understanding the larger issues, the greater needs that a responsible government must move to protect, then I regret that they choose not to see or understand.

Ontario is filled with hardworking people who have themselves had to cut back on luxuries and plans because of the overall fight on inflation and who expect their government to have the courage to do the same. It is an Ontario that is prepared to pay tax dollars to help those who are truly in need. I've nothing but admiration for my colleague, the Minister of Community and Social Services (Mr. Taylor) when he states that we must put an end to helping those who simply choose, with no handicap or reason, not to help themselves.

**Mr. Nixon:** You have gone too far.

**Mr. Warner:** You are not serious. You can't be.

Interjection.

**Mr. Speaker:** Order please, the hon. member has the floor.

**Mr. Villeneuve:** It is an Ontario that deserves and requires stable, responsible government that can look ahead beyond today's headlines to tomorrow's needs and problems and respond with commitment and leadership.

Mes amis, M. l'Orateur, c'est toujours mon privilège de servir un comté fier de son histoire, confiant de son futur et fort commis à l'avenir de l'Ontario.

As a member of the Progressive Conservative Party and of this government, it is more of a privilege than ever to serve at a time of such importance in Ontario. A time when so many of the courageous and important choices for this province's future are being made by my colleagues in caucus and the cabinet of this government.

As is the case with seatbelts, I do not pretend that all decisions are accepted without debate or disagreement. I would like to suggest to the hon. Minister of Transportation and Communications (Mr. Snow) that design improvements in seatbelts be encouraged to make them easier to get in and out of.

**Mr. Kerrio:** Put Johnston on the committee.

**Mr. Villeneuve:** Recent amendments to seatbelt legislation have been favourably received.

In summation, I plead with the hon. Minister of Labour (B. Stephenson), and all clergymen of every faith in my area to join with me on humanitarian grounds and ask her to intercede through her good offices with capable, experienced negotiators to get Domtar paper management, along with labour representatives, back to the bargaining table.

**Mr. Samis:** They did not ask her. They didn't single her out.

**Mr. Villeneuve:** This long strike of 1,200 workers is having a very adverse effect, not only on the city of Cornwall—

**Mr. Samis:** She has tried to do something about it.

**Mr. Villeneuve:** —but the three united counties of Stormont, Dundas and Glengarry.

**Mr. Samis:** They broke off negotiations.

**Mr. Villeneuve:** It is these very decisions which mark the courage and vitality of the government within which I am pleased to serve and whose Throne Speech I am so pleased to move.

**Mr. Speaker:** The hon. member for St. Andrew-St. Patrick.

**Mr. Grossman:** Mr. Speaker, I am pleased to have the opportunity and, indeed, the honour to rise to second the motion of the hon. member for Stormont-Dundas-Glengarry.

I think it was 15 or 16 years ago that the man who is now the Premier of this province (Mr. Davis) had the honour of moving the address, and my predecessor had the honour of seconding that address. I don't know if the mover today perhaps aspires after the then mover's job, but there are plenty of days when I aspire after the present job of the then seconder.

**Mr. R. S. Smith:** You will have to decide to run again.

**Mr. Grossman:** I would hope that all members of this House would join me in thanking Her Honour for her address, which laid down a solid foundation and base for our deliberations and actions over the ensuing months. These months will require the type of hard work, careful deliberation and responsibility which Her Honour has referred to on many occasions. I am sure the members on all sides of the House will join me in assuring her of



a very high degree of concentration, responsibility and thought in dealing with the very difficult matters which will be coming before us in this session.

It is by now repetitious and redundant to say that the times demand this level of behaviour and this responsibility, but it nonetheless is a fact. While some would be foolhardy enough to say we are in a state of dire emergency, nonetheless it would be equally foolish to suggest that the past does not slope towards that state unless a combined effort is made, each being guided according to his or her own conscience to legislate and deliberate fairly, judiciously and properly—hopefully after the cameras are gone—without partisan considerations; notwithstanding the ever-present spectre of an early election.

[3:30]

The tendency to legislate in order to get re-elected—or, in the case of this Legislature, elected—is a tendency which has never been one fraught with dignity, honour or even a shred of respectability. At this point in time, efforts along that vein would be treasonous and a total abrogation in all respects of the mandate with which we have been sent to this minority parliament. I hope that we will succeed in jointly mounting the necessary battle over the ensuing months regardless of the decisions which result in order that our responsibilities be met.

It is trite but also equally true to say that the time call for restraint. Anyone who has sat in this assembly, either on the floor or in the galleries, cannot be unaware of the seriousness of this statement. Anyone who has glanced at the front pages of our newspapers or caught the slightest portion of the smallest newscast cannot help but be aware of the seriousness of the problem. Certainly, anyone who has spent even a few minutes watching the deliberations of our select committee studying Hydro's rates for 1976, cannot help but have a deep appreciation of the enormity of our task.

At that committee, we have seen the basic assumptions upon which our world-leading hydro-electric system has been based come under severe scrutiny and review. At the beginning, we acted with an eye on the economic factors and the enormous costs of hydro-electric power. As time went on and the pressure of events changed, it became very clear over the short ensuing months thereafter that rather than just keeping an eye on our economic situation, we, like other bodies of this Legislature and this government, were going to have to be governed and controlled by the economic facts of life. On-

tario Hydro itself is now reassessing its entire concept of simply meeting demand by providing power and doing so at cost. It is no longer a simple assessment of the demand of the public of Ontario for power and a simple determination of how we will meet that demand. The starting point, it appears, will now be the availability of money, our access to capital markets, our ability to borrow, our ability to support that borrowing and the ability of the public to bear the rate. The bottom line of that equation is the amount of money that Hydro will have available to it to provide power, and from that point we will obviously be moving to determine how much power we can provide for that amount of money, and then assess what we must do about adjusting demand to meet that supply of power rather than adjusting, as we historically have, our financial and other resources simply to meet demand.

Demand for electrical power will have to be like the demand for every service, and that is, it will have to meet the supply we can afford to produce. Anyone who has sat and listened to our committee must have been speechless to hear us discuss, just this past week, the possibilities of brownouts and blackouts as possible alternatives as soon as 1981 or 1982.

**Mr. Ruston.** Closing plants.

**Mr. Grossman:** We are convinced that there are ways to avoid that, but let's consider the reality of even approaching those two alternatives as, in fact, alternatives. For the first time, we are assessing those as alternatives and it's shocking and frightful to have to do that. It is an eye-opener even to veterans of parliamentary dollars to begin to deal with the direction issued to Ontario Hydro to strip \$500 million from its borrowings in each of the next three years; \$500 million. Those dollars are large dollars even here, even to those persons who are daily in the business of dealing with global dollars and global terms, and so the question that this assembly must face is surely one of sorting out priorities and choices. We are going to do what I suppose we should have begun to do some time ago and that is more carefully rank our needs and demands, having determined that we can no longer simply be slaves to our demands, our feelings and our wants.

Our emphasis will now shift from providing what is demanded and what we would just like to allow as legislators and good governors—shift to an emphasis of meeting immediate needs and only where and if those needs are established, and for those who are in need only. Our responsibility is not just

economic but also sound financial management. And sound financial management requires a careful reassessment of our priorities. Not only do we and should we demand it in this Legislature but our poor taxpayers, the ones who are paying the dollars, which is sometimes forgotten across the floor, demand it.

It seems to me that there is finally some appreciation, not only in this House but in all Houses in all provinces and in all Parliaments, that the days of wine and roses are over for the time being. There is finally some appreciation that someone pays for medical services, that someone pays to build the luxurious institutions and that someone pays the salaries that it takes to support government. It's even a fact that someone pays for the social and human services that so many people, quite rightly, have come to rely upon.

**Mr. Ferrier:** What about the taxes on the corporate sector?

**Mr. Grossman:** It's not just enough to say: "Well, that's okay, go tax the big corporations." When you start to tax those big corporations and then the corporations face some difficulties and lay some people off, who is the first to scream? The package of programmes set out by the Lieutenant Governor indicates a mixture of those concerns.

**Mr. Warner:** They pay less income tax than we do.

Interjections.

**Mr. Grossman:** The package indicates a careful awareness of those areas—

Interjections.

**Mr. Speaker:** Order, please. The hon. member for St. Andrew-St. Patrick has the floor. Would you give him courtesy?

**Mr. Makarchuk:** The poor banks are really starving this year, aren't they? They are going broke.

**Mr. Grossman:** It is funny what happens when you just mention the NDP bogey about tax the big corporations.

Interjections.

**Mr. Grossman:** Suddenly a very quiet Legislature gets angry.

**Mr. Makarchuk:** How are the banks doing this year?

**Mr. Speaker:** Order, please.

**Mr. Grossman:** The package indicates a careful awareness of those areas in which an increase of dollars can assist those who from time to time may be defenceless against the onslaught of inflation or recession or both. We have a package which can ensure that human, social and public services, while stripped to the bone, are not in jeopardy.

This province has been able to create an extremely high level of social, human and public services, one that stands the test of any administration of any party of any jurisdiction in North America. These high standards have created reliances and dependability which are otherwise sometimes not so desirable.

**Mr. Warner:** Tell that to the asbestos workers.

**Mr. Grossman:** But this is one of the difficulties one faces when one tries to do everything one wants to, wishes to and likes to do. It's a difficult trick to readjust this but one which this government is responsible enough to try to accomplish, that is, to maintain the same level of human and public service by seeing that fat is stripped and where abuses exist they're caught and eliminated.

**Mr. Warner:** Tell that to the Children's Aid Societies.

**Mr. Speaker:** Order, please.

**Mr. Grossman:** All the painting that the opposition will seek to do of this administration as being right wing or redneck won't work.

**Mr. Makarchuk:** You're taking it out on the children; that's what you're doing.

**Mr. Speaker:** Order, please.

**Mr. Warner:** Tell that to the Children's Aid Societies, go ahead.

**Mr. Makarchuk:** You're taking it out on the kids.

**Mr. Grossman:** Over there you can't tell the difference between redneckism and responsibility. A careful assessment of our choices and priorities—

**Mr. Warner:** Who has been running the province for 30 years?

**Mr. Grossman:** —listen to that one—a careful assessment of our choices and priorities—do you know what that means?—a re-evaluation of the programme bit by bit, beneficiary by beneficiary—



**Mr. Good:** That means your dad bungled it when he was here.

**Mr. Grossman:** None of this touches any of his old ministries—ministry by ministry, municipality by municipality, will be required, in order to strip the system down to where it's providing and maintaining that necessary, but only necessary, amount of social and public service. This is something that Her Majesty's loyal opposition find difficult to understand.

**Mr. Warner:** Difficult to accept.

**Mr. Grossman:** More efficient dollars don't mean less human or effective dollars.

**Mr. Makarchuk:** Tell that to the Children's Aid Societies.

**Mr. Warner:** Tell that to the Children's Aid too.

**Mr. Speaker:** Order, please.

**Mr. Warner:** A three per cent increase.

**Mr. Grossman:** So the question is this, is it possible to accomplish the restraint without one iota of loss in necessary social services, in necessary, needed human services?

**Mr. Wildman:** Municipalities are dependent on the property tax.

**Mr. Grossman:** No riding will be a better judge of that than St. Andrew-St. Patrick. No one, I might add, can better attest to the fact that the programme is being implemented without the slightest nod to partisan considerations or politics than I can.

I might say that when I called the minister, as I did when I found out about the closing in my riding—

**Mr. Ferrier:** The minister knows you are in his party.

**Mr. Speaker:** Order.

**Mr. Grossman:** —I didn't mention for a moment the fact that we were in the same party, the fact that I hold my seat by 440 votes.

**Mr. Foulds:** Perhaps you should have.

**Mr. Grossman:** What I did was I discussed the facts; I reviewed the figures. I attempted to show him that his ministry's calculations were wrong, and I attempted to convince him.

**Mr. Wildman:** He doesn't listen to facts and figures.

**Mr. Grossman:** —that the social and human cost was so great that the hospital ought not be closed.

**Mr. Ferrier:** Are you saying the minister's computer is wrong?

**Mr. Warner:** You support his closing?

**Mr. Grossman:** But not for a moment did I suggest that the fact we are in the same party should have any bearing whatsoever on his decision.

**Mr. Warner:** You support the closing then?

**Mr. Grossman:** So I can attest and he will attest at first hand not only to the impartiality of the restraint programmes—

**Mr. Ferrier:** It's more important for some than it is for others.

**Mr. Speaker:** Order, please. Would you extend courtesy to the speaker? The member for St. Andrew-St. Patrick, please.

**Mr. Nixon:** He is making out very well.

**Mr. Grossman:** They will, so long as I don't hurt them over there.

**Mr. Warner:** Do you support the closing of Doctors Hospital?

**Mr. Grossman:** We will get to it and we will talk about how your party supports the closing, if you will just sit tight. We will get to it and it will be worth waiting for.

**Mr. Warner:** I hope so.

**Mr. Nixon:** That'll be quite a story.

**Mr. Grossman:** My riding maintains a vast number of those types of social service outlets which have grown up over the last 10 or 15 years—under Progressive Conservative administration I might add—which social agencies have become in some cases the very core and root of their communities.

To mention a few: St. Christopher's House; University Settlement; St. Stephen's; St. Alban's Boys' Club; the Chinese Dramatic Society; COSTI; the Learning Resources Centre; and so on. All of these and many more have become so significant in their own work that they have become, in some cases, an integral part of the everyday life and well-being of many of our residents.

Many of these residents, in spite of the fact that they live in downtown Toronto, in spite of the fact that they belong to unions, in spite of the fact that they belong to that group of people who our government is, from

time to time, alleged to have no concern for, continue to vote Progressive Conservative.

**Mr. Foulds:** As of last Sept. 18.

**Mr. Grossman:** In case my friends over there are rubbing their hands in glee, let me tell them that whether I choose to stand or not they will continue to vote Progressive Conservative in St. Andrew-St. Patrick.

**Mr. Warner:** Do you want to bet?

**Mr. Foulds:** Why don't you?

**Mr. Shore:** Is this your resignation speech?

**Mr. Grossman:** I look at my own responsibility, as the representative of persons using those social agencies, to see that there is not one iota of loss in any of these necessary services. Surely this is the responsibility and task of all members, from all constituencies? That is to scrutinize, examine, dissect and analyse the restraint programme as it applies riding by riding across the board to see that inequities are avoided and to see that avoidable harm is avoided.

The types of facilities I have referred to provide a wide range of community service. I would like to deal specifically with some of them since those institutions which serve the public in downtown Toronto have come to form such an important part in the day-to-day life of the various neighbourhoods.

There is extensive community development work wherein residents and citizens are made aware of such things as existing housing standards, their rights and abilities to improve their neighbourhoods—I might add with extensive provincial funding—and the availability of services to the neighbourhood and individual citizens. The whole question of delivery of services to the community is one which is fraught with problems and red tape, and the availability of those services does not mean that those who most need those services know how to exercise their right to ask for and receive that assistance.

[3:45]

Secondly, in the general area of social services, these centres assist and encourage personal, family and individual responsibility for meeting their own needs. I can't continue to refer to some of these institutions with their extensive social contribution without noting the fact that not only do these institutions receive a large amount of aid from the provincial government and the federal government and the United Way, but they also get a great deal of support—large support—from the big corporations.

In many instances, particularly during this period of restraint, the big corporations are the ones that will help keep some of these institutions going. These are not institutions which ought to or should create reliance upon themselves per se, but which should encourage the individual to be aware and use the existing facilities, so that those who cannot acquire them on their own, with their own dollars, will motivate themselves to use the facilities which this government and other governments have made available to them.

There are, of course, extensive daycare centres, more properly referred to, I would think, as child development centres in many cases. That proper designation speaks for itself with regard to their importance in the communities. They're not luxuries, they're not baby-sitting services, they're not drop-off centres. They are child development centres.

There are less important services than the daycare centres, but to some that are effected by these programmes they are integral. There are music schools, for example, running out of places like the University Settlement House, which in some cases not only make instruments available on loan to those who can't afford to buy or rent instruments, but in many cases they also provide practice facilities, for example use of a piano. Even more important, some of these institutions specialize in giving music lessons to those with behavioural or emotional problems.

Fifth, there is the whole area of recreational fulfillment of leisure time. This includes arts and crafts, gymnasium equipment availability and the provision of pools and hockey rinks and so on. The fulfillment of leisure time is certainly not a frill and can't be treated as such. Of course, there are the extensive interpreting services which are available throughout downtown Toronto to various of the institutions; these form a self-descriptive, important facility in filling a need.

This describes some of the package covering what can be done with selective money. The value and importance of these programmes are hard to estimate. After all, we can measure our dollar savings simply; it is a matter of how many dollars have we saved? But we can't measure the value of human services and the importance of those facilities in the same way. They are measureless. If we are to err in implementing restraints, we should certainly err on the human side, not on the financial side.

Some of the criteria we must surely assess are: Is it developing mature adults with



socially acceptable goals and desires? Is it redirecting someone who may otherwise become misdirected? Is it filling time—leisure time—that might otherwise have been filled carelessly? Is it fulfilling emotional needs not met in the family unit? Is it teaching about life by thought and example rather than by mistake? Is it assisting a family to develop itself in a healthy way? Is it assisting an individual to be an individual? All these criteria cannot be assessed in dollar terms, but only in human terms, and must be weighed carefully against our restraint programme as it is implemented.

Downtown Toronto is in many ways midtown Canada and so the test of our programmes, quite properly, falls upon my riding and my neighbours to the east and west. The values I've talked about are not replaceable or purchasable at other places. They are not commodities that we can buy next year rather than this year. A lapse, a delay, a vacuum or a vacancy sometimes creates an abyss out of which some may well never emerge. So, carefully must we watch and scrutinize; to liberate, challenge, anticipate and criticize, in order to make sure that the programmes are implemented without any social or human cost. The parameters are set; they're proper and applaudable, but the implementation must be scrutinized and alterable.

In the same vein, we must not play down or write off the problems of municipalities. Their problems are great. It's only fair however, to point out that they do have some ability to attack, in accordance with the level of services demanded by their own ratepayers and taxpayers. If the ratepayers and taxpayers in an individual municipality demand a certain level of service, they'll have to be taxed for it. That's the very basis of local government.

**Mr. Wildman:** Property tax.

**Mr. Grossman:** After all, that's the same criterion that has been placed upon our ministries at Queen's Park. I might add there was some internal assessment. It wasn't 10 per cent across the board. It was done carefully; by an analysis, ministry by ministry, of which one could and should bear the load in the next year. So it's quite fair to say to the municipalities: "Sure, we have created reliances. Sure, we gave you money in years past. But you did live high and well and not very frugally off our largess in years past." It's fair and equitable. It's

funny, now that the initial flack is gone and the road show having been closed—

**Mr. Foulds:** It is not funny at all. It is tragic.

**Mr. Grossman:** —how some municipalities have got down to business—and are now admitting that they're going to make do with the lower rate of increase in the mill rate that they went crying about.

**Mr. Warner:** You haven't seen the tax bill. Wait until you see the tax bill.

**Mr. Grossman:** They did it.

**Mr. Bullbrook:** Are you referring to Darcy as the "road show"?

**Mr. Grossman:** The municipalities do themselves no credit by simply whimpering and crying at the announcement of a reduction in the increase of transfer payments. First let them put their houses in order and conduct the same type of critically intensive, inward analysis that the provincial ministries have done before they announce they can't live with the guidelines.

**Mr. Shore:** Larry, who wrote your speech?

**Mr. Grossman:** I wrote my own speech.

It's their duty, it's their obligation, their responsibility to first exercise every conceivable effort to live within those guidelines. It's election year for them just as it might be for us, but we bit the bullet here at Queen's Park; the municipalities don't like it too much.

**Mr. Wildman:** Did you bite the bullet?

**Mr. Grossman:** By crying wolf, the municipalities lend no credibility to the national anti-inflation effort. And if governments don't lead the way, then how can we expect the taxpayers to follow? This government has led the way; and having led the way, this province can quite properly look to its municipalities to do their share. In turn, the province is setting a scenario within which all Canadians can participate individually in a programme of restraint and the national anti-inflation effort.

**Mr. Bullbrook:** Has the House bit the bullet with Wintario?

**Mr. Grossman:** It is with this in mind the Ontario government has opted into the federal anti-inflation programme, notwithstanding opposition bleating. It is precisely that participation which will permit Ontario's residents to participate in the programme

without undue prejudice to their own marketing, wage-earning and competitive positions vis-à-vis the other provinces, and indeed the entire United States; albeit with some prejudice perhaps to the oppositions hopes of getting elected.

In an effort to make the national programme work, and in an effort to show up what I believe to be a somewhat incomplete federal programme, it is essential that the largest and key economic province in this country join the programme. There's no marching to the band and beating your own drum, for if we are out of step with the rest of the country and that programme, we in this province have the singular power to destroy that programme. So, as in so many other instances and situations, this province will lead the way and come through this crisis, having convinced the taxpayers of this province that our interests have been and will continue to be protected, by doing what we can to bring staggering inflation and recession under control over the next year and a half.

Fortunately, the economy is here to do it. We have created a healthy enough climate, not at all by accident, to support us through this period of time. Fortunately our employment picture, while unsatisfactory, is better than can be expected; and fortunately, we still maintain the necessary support programmes to help persons through that period of unemployment, at least in a financial way.

**Mr. Wildman:** Unemployment insurance is federal, not provincial.

**Mr. Grossman:** Contrary to the picture that the opposition wishes to paint, this is not to say that any amount of unemployment is acceptable or approvable. I reject those arguments that deal with unemployment in terms of numbers and those politicians who may simply qualify their statements about unemployment by saying, "While I don't mean to be harsh," and then go on to talk about how much unemployment we will have to live with.

That's abhorrent. It's harsh to the person who loses his job and is laid off. All the welfare cheques are not going to give that person the self-respect and support and personal integrity that he needs to raise his family and get himself up in the morning.

**Mr. Wildman:** Right; he needs a job.

**Mr. Grossman:** Searching for a job is not finding a job. Maintaining one's income doesn't mean one is earning one's income. Being assured that one's unemployment is all in the name of the national endeavour is no solace

at all. I detest and abhor those who take an attitude that some have to suffer for the sake of many.

While the restraint programme is appropriate and necessary, its application must be so careful, so shrewd, so delicate and so humane that there is not even a minimal effect on those who cannot get through a period of unemployment. That's our test.

**Mr. Grande:** That's rough justice.

**Mr. Moffatt:** Which is why you want the federal Liberals to do it.

**Mr. Grossman:** We must not let restraint harm the economy and business and cause layoffs without any thought to re-employment or more efficient employment.

**Mr. Wildman:** There aren't any jobs for nurses in the province.

**Mr. Grossman:** We are getting to your part.

When people are laid off, as surely they will be under the hospital restraint programme, let some real efforts be undertaken to be sure that employment will be picked up by either other levels of government, other ministries or private industry. Let us make sure that the lead time given is appropriate. Let us make sure they are not thrown out in to the cold as statistics in the inflation game, but are adjusted, relocated and otherwise looked after.

I can't complete my remarks without referring to the singular instance in which I find I must express rather strong disagreement with one particular decision made by the government in the name of restraint, although that decision is still not final.

**Mr. Nixon:** That's the one on the not-final list.

**Mr. Grossman:** That decision, of course, is the recently taken decision to close Doctors Hospital, which is located in my riding.

**Mr. Ferrier:** It may yet be mandatory. The minister did not pay any attention to our arguments for Northwestern.

**Mr. Grossman:** The forcefulness of my disagreement with the government is certainly no secret. It is based on two facts, both arising out of my intimate knowledge of the riding as its member and the hospital as its former vice-chairman.

Firstly, it is my firm belief, after many weeks of careful analysis, that although the hospital was being closed in the name of restraint, it is, in fact, a closing which will



result in more governmental expenditure, not less.

Interjection.

Mr. Moffatt: Same all over.

Mr. Grossman: I am convinced that the patients formerly treated at Doctors Hospital can't be picked up by the other hospitals; or that those who can, simply cannot be treated as efficiently or as inexpensively as they are being treated at the Doctors Hospital.

Secondly, I oppose the closure on the basis that the special nature of that hospital makes it so key, so important, to that particular community that its closure, even if it were an inefficient hospital, which it is not, could not be supported. The peculiar nature of the hospital, its staff, its location and its history, is such that it has developed as a very special community which can't be replaced, either in whole or in part, by parcelling it out to two or three other large teaching institutions. The social cost of the closing, the human cost, is so great, so inhumane, that I would be obliged to oppose the closing even if it did save some money.

I might say that I would oppose that closure even if it were in another riding, if I were as familiar with the statistics as I happen to be in this particular case.

[4:00]

Mr. Reid: Do you want to hear about Clinton and Durham hospitals?

Mr. Grossman: I'm not an expert on the Durham hospital.

Mr. Moffatt: You just need a wealth of statistics.

Mr. Grossman: That might be the case. But as I said earlier, the challenge is thrown out to all members of this assembly to scrutinize the programme and to let the ministry know where the social costs and human costs are great, or where their facts and figures just don't work. I'll have plenty more to say during the estimates of the Ministry of Health with regard to that closure.

Ms. Gigantes: That is what we have been doing.

Mr. Foulds: I am glad that you are making this speech before the Minister of Correctional Services (Mr. J. R. Smith) makes his apology.

Mr. Grossman: That is great stuff. The NDP was a great support to the Doctors Hospital—not at all! Their contribution to the fight on the Doctors Hospital has been pre-

dictable and disappointing; but let me tell you what happened. Immediately upon the announcement, in trooped the members for Bellwoods (Mr. McClellan) and Parkdale (Mr. Duksza) with their Doctors Hospital badges on their lapels. They marched in. The troops came in; all the NDP troops. All their members from downtown Toronto and all their friends on Toronto city council. They suddenly were terribly interested in a hospital that many of them have been fighting with for years and years. Suddenly they were—

Mr. Foulds: Which will now be closed.

Mr. Grossman: I'll tell you what I'm talking about. The NDP alderman for the area, while I was vice-chairman of the hospital, and while the hospital was trying to acquire land for expansion which would have permitted an earlier construction of a new facility, were fighting the expansion, were fighting the acquisition of land on the basis—are you ready—that it would have been an intrusion on College St.

Mr. McClellan: Point of privilege.

Mr. Grossman: There they were—

Mr. Speaker: Order please, the hon. member for Bellwoods has a point of privilege. Would you state it please?

Mr. McClelland: If I understand the member for St. Andrew-St. Patrick to say that the member for Bellwoods was involved in attempts to curb the expansion of Doctors Hospital, then that is simply not true. I may have misunderstood the member, but I'd like a clarification.

Hon. Mr. Welch: He didn't say that.

Mr. Grossman: I know the member is excited. I said his friends on Toronto city council did that; and they don't deny it because they can't. I didn't say the member was involved. In fact, he was never seen or heard of at Doctors Hospital until a couple of months ago when he was elected. So I certainly couldn't accuse him of that.

Mr. Speaker: The hon. member will continue.

Mr. Foulds: As a matter of fact, nobody has seen or heard of you.

Mr. Grossman: Instead of rolling their troops in to help a threatened group defend itself and prove what I feel to be a very provable case against the closure of the Doctors Hospital, they rolled in instead to collect some support for the NDP. There they were

at the meetings organized in downtown Toronto by their NDP friends in the communities. They were saying: "Listen fellows, I know you're threatened, but what you've got to do is join the Clinton hospital and Durham hospital and the Bobcaygeon hospital and fight the entire programme."

Now, those of us in downtown Toronto, we're not experts on the Durham hospital. The other hospitals have very adequate representation and their members will speak for them. They'll be looked after. We are looking after the Doctors Hospital. We are not looking after the Progressive Conservative Party; that's obvious. But no, what kind of support did we get! Boy, it really hurts, doesn't it!

**Mr. Foulds:** Watch what you are doing with that finger.

**Mr. Davidson:** Just your own riding.

**Mr. Grossman:** That's okay.

Interjections by hon. members.

**Mr. Grossman:** What kind of support did we get from the party of the people? The party that is the only one, it says, that is supposed to care about people. They rolled in and they had so much support for those people that they started to hand out "Coalition Against Cutback" buttons, and say: "Come on, we'll march on Queen's Park to support Clinton and Durham and Bobcaygeon. Take your very good Doctors Hospital argument and help us fight the government on the whole programme."

**Mr. Davidson:** We will be there.

**Mr. Grossman:** We don't need that kind of support in downtown Toronto. We need people who will come in and help us analyse the facts and figures, who will help us prove the argument—

**Mr. Ferrier:** You present your case over tea and crumpets.

**Mr. Grossman:** —in downtown Toronto about the importance of that hospital; we don't need the NDP rolling in to try and scoop up votes with a group of threatened people.

**Mr. Moffatt:** You certainly don't.

**Mr. Grossman:** It's the old group. Not only do they roll in and say, "Only the NDP will help you."

**Mr. Laughren:** Another paranoid Grossman.

**Mr. Grossman:** Instead of hanging around looking at figures, helping us sign petitions,

what did they do? They ran to Queen's Park—

**Mr. Warner:** You lack all logic.

**Mr. Grossman:** —and they printed up a delightful little press release talking about Frank Miller spreading death throughout downtown Toronto. That's what they said in their press release.

**Mr. Laughren:** Do you see faces in the crowd too?

**Mr. Grossman:** That's great stuff. That's certainly going to help keep the hospital open since it wasn't a press release issued by the Leader of the Opposition (Mr. Lewis), I wonder if he really thinks so little of the minister that he would accuse him of spreading death throughout downtown Toronto? Or were you fellows just playing politics? Can we write it off to that? I suppose we can.

**Mr. Laughren:** Never.

**Mr. Foulds:** What is your accusation?

**Mr. Grossman:** We look on it a little more seriously. I took my argument up with facts and figures and will continue to take it up with facts and figures.

**Mr. Warner:** Are you going to save it?

**Mr. Grossman:** To compound the felony, they can't just say, "We disagree with the government's decision on the Doctors Hospital." No, no; that is never enough for the socialists in downtown Toronto. They have to go one step further. They have to go in and tell everyone that the decision was not made in spite of the fact that there is an immigrant population but because of the fact there is an immigrant population. Well, that's right! Do you think it is true? Stand up and say it. Stand up and be counted. Who said it's true?

**Ms. Gigantes:** Who said it?

**Mr. McClellan:** I don't deny saying that at all.

**Mr. Grossman:** He said it is true.

**Mr. Speaker:** Order please. There are far too many interjections; and will the member on his feet direct his remarks to the Chair.

**Mr. Makarchuk:** I think this is rather provocative.

**Mr. Grossman:** Her Majesty's loyal opposition, as they are so proud to call themselves, tramped around downtown Toronto looking to assemble votes for themselves. I want to tell



you, at every meeting that we have been at in the community in downtown Toronto I, the staff of the hospital, the doctors—

**Mr. McClellan:** Are you closing Doctors Hospital? You are closing Doctors Hospital.

**Mr. Grossman:** —and the nurses have been talking about the tactics we will use in proving the ministry's decision to be wrong. We know we can do it with facts and figures.

**Mr. McClellan:** Why don't you do it with your own minister who is closing Doctors Hospital.

**Mr. Grossman:** Save your heckling for the meetings downtown; it goes over well there.

**Mr. Deans:** You are missing a great chance to present your facts and figures to the minister.

**Mr. Grossman:** We do it with facts and figures. At all those meetings, while some of us were on the podium explaining how we were going to make the presentation and seeking for some assistance in making the presentation to the ministry, our friends in the back were handing out leaflets; running through the back sowing the seeds of prejudice and hatred throughout the back. "They did it," they say, "because you are immigrants."

**Mr. Laughren:** Subversion you mean?

**Mr. Warner:** You will be disappointed with the by-election.

**Mr. Grossman:** When their turn to speak came up, when the member for Parkdale took the microphone—he was parachuted in to try and help collect votes in St. Andrew-St. Patrick—there he was saying: "This is why we have to bring them down. The restraint programme across the board has to be thrown out. Come on and help us defeat the government." I was saying: "Come on and help us reopen the hospital." And to their everlasting credit the public meetings even the one started, run and controlled by their NDP friends throughout downtown Toronto, rejected the pleas of the NDP.

**Mr. Laughren:** The paranoids are chasing you, Larry.

**Mr. Grossman:** That's the way you help the Doctors Hospital? You don't help them. Her Majesty's loyal opposition says to the threatened minority: "Come on and help us defeat the government. We are not so sure we are going to come down and help you reopen

the hospitals. We want your help up here at Queen's Park."

Interjections.

**Mr. Deans:** That's nonsense.

**Mr. Grossman:** They rejected it and quite properly.

**Ms. Gigantes:** What do you know about it?

**Mr. Grossman:** That's the way it is. Mr. Speaker, I would be happy to tell you what I know about it. I have lived through a lot of elections in downtown Toronto. I know their tactics.

**Mr. Foulds:** Did you find this speech in the wastepaper basket of the Minister of Correctional Services?

**Mr. Grossman:** One of the reform aldermen, who has been fighting the expansion of the hospitals and now wears a "Support Doctors Hospital" badge, was the NDP candidate, the Waffle candidate, in 1971 in St. Andrew-St. Patrick. So we have lived with that type of NDP tactic. In that election, I think the allegation was that the Tories had so many canvassers because they were all on government payrolls. I mean how else could we get all those canvassers? Only the NDP has canvassers. Only the NDP knocks on doors three and four times. They can't understand it.

**Mr. Warner:** Is this a confession?

**Mr. Grossman:** We are used to it. That's how I know what happens in downtown Toronto.

**Mr. Deans:** I wouldn't worry about getting into it.

**Mr. Grossman:** So there you go. That's how we get the trade union vote in downtown Toronto. The sort of irresponsibility that they have been festering in the heart of this city among threatened people is political garbage.

**Mr. Laughren:** Use the word subversion. Did the Minister of Housing (Mr. Rhodes) write this speech for him?

**Mr. Grossman:** Some of your supporters consistently fought that hospital. I am convinced, and I hope, that the NDP's tawdry performance in this tragic episode—

**Mr. Makarchuk:** The only riding of sanity in downtown Toronto.

**Mr. Foulds:** Do you feel that you are unsanitary?

**Mr. Reid:** Did the Minister of Correctional Services have the first choice of which speech to give?

**Mr. Grossman:** Yes, but he gave it outside the House.

**Mr. Speaker:** Order, please.

**Mr. Grossman:** It is the usual stuff, Mr. Speaker. Her Majesty's loyal opposition sees these people as votes and defines a means of manipulating them to achieve power in Ontario rather than to reopen their hospital; but we will carry on the fight for the Doctors Hospital anyway.

**Mr. Deans:** That is nonsense. Even you don't believe that. I don't know how you can say that.

**Mr. Grossman:** There is no better witness than I and I certainly believe it. I might add that all those who were at some of the public meetings organized by all the NDP friends down there not only believe it but rejected it. They had their opportunity. I must tell you, at one of the meetings there was handed out—

**Mr. Kerrio:** Point of order, Mr. Speaker.

**Mr. Speaker:** Point of order.

**Mr. Kerrio:** I am wondering if the member is certain of his direction when he suggests that—

**Mr. Kennedy:** That is not a point of order.

**Mr. Kerrio:** Just a moment, just hear this. I wonder, when he refers to the NDP, if he shouldn't, in fact, be referring to it more specifically. If he is directing those remarks to the NDP, they are the official opposition; we are all members of Her Majesty's loyal opposition on this side.

**Mr. Grossman:** Well, I can understand the member's desire not to be associated with Her Majesty's loyal opposition, but I would have been happier had Her Majesty's second opposition supported the Doctors Hospital rather than having its leader say: "I think there is a supportable case for closing the Doctors Hospital."

**Mr. Angus:** If they had supported it, you would have accused them of going after votes.

**Mr. Grossman:** I would give you a little more attention, but I can always spot my enemies very clearly. It is the fellows in the NDP who suddenly want to be my friends that I can't hack. I can't take that.

**Mr. Deans:** Don't you dare accuse us of that.

**Mr. Grossman:** I could find a hell of a lot better—a heck of a lot better—bedfellows. Even my friend the member for Niagara Falls (Mr. Kerrio) I would rather have as a bed-fellow.

**Mr. Foulds:** I'd get up on that on a point of personal privilege.

**Mr. Grossman:** Not as much as I would like to have his predecessor; but certainly under no circumstances the NDP. You can relax now, boys.

Simply put, the restraint programme is proper and appropriate. When I oppose it as strongly as I do in one, and only one, of its specifics, I am not just saying: "Do it; but do it to someone else, not me."

[4:15]

**Mr. McClellan:** That's exactly what you said.

**Ms. Gigantes:** That's exactly what you said, do it to Durham.

**Mr. Wildman:** Why are you seconding this government's Throne Speech?

**Mr. Grossman:** Mr. Speaker, that's precisely what I did not say. I said specifically—

**Mr. Makarchuk:** He is provocative, Mr. Speaker.

Interjection.

**Mr. Speaker:** Order.

**Mr. Laughren:** Tell us which ones should be closed. Give us your list.

**Mr. Grossman:** You can go back to your offices, the cameras are off; just relax. If you'll relax I'll go on to the rest of my speech and leave you alone.

**Mr. Ruston:** We thought you were finished.

**Mr. Laughren:** Which ones would you close?

**Mr. Grossman:** What I'm saying is do it where it actually saves money.

**Mr. Warner:** Where?

**Mr. Grossman:** Do it where there is no enormous counter-weighting social cost.

**Mr. Warner:** Name one.

**Mr. Grossman:** Your constituency office is a waste of money. I want to assure the members of this assembly that my objection to



one specific is not political posturing done for the sake of my constituents.

**Mr. Shore:** Is that why you're resigning?

**Mr. Grossman:** Sure I'm aware of the situation because it's in my riding; but I am, as I have stated, equally aware of the situation because I formerly served on the board of that very fine hospital.

**Mr. Warner:** Try visiting the others.

**Mr. Grossman:** I can—well they've got members and I hope they're as effective as I am.

**Mr. Bain:** I hope not!

**Mr. Grossman:** I know you do. I can say, without bowing to anyone, that it is certainly a time which tests the mettle and responsibility of all members of this Legislature.

**Mr. Deans:** Officially.

**Mr. Grossman:** It is a time that tests the opposition—Her Majesty's loyal opposition—as much as it tests the government. It tests their seriousness, if any; it tests their ability to sacrifice their own desires to seize the reins of office and pits those desires against their responsibilities as members of this assembly and as representatives of the taxpayers of this province.

**Mr. Deans:** You are the only person I've ever heard who had support offered to him and who rejected it.

**Mr. Grossman:** You should have stopped there: I'm the only person you've ever listened to.

**Mr. Foulds:** Don't flatter yourself.

**Mr. Deans:** I doubt that.

**Mr. Grossman:** I doubt it, too; frankly, I doubt it. I might add, in closing, that my riding will surely bear its share of being asked to tighten the belt on many programmes and projects.

**Mr. Foulds:** And bite the bullet.

**Mr. Grossman:** My riding, I hope, will agree to do as all taxpayers will be asked to do, in one form or another, over the next period of time.

As the government undertakes a reassessment of its priorities it does so with quality of government, not quantity, as its model—certainly not one of the NDP models—and with job security, employment stability, economic stability and the maintenance of our

high level of human and social services as chief among its goals.

The economic goals are subject to assessment, review and measurement; the social goals are harder. Purchased with raw dollars they are implemented and tested only through understanding, devotion of purpose, commitment, spirit and a belief in the equity and equality of the system.

Daycare centres are not like highways. Children's aid societies are not hobbies for the rich.

**Mr. Warner:** Tell that to the Treasurer.

**Mr. Grossman:** Medical treatment facilities are not placebos. Community centres are not just gymnasia; and multicultural programmes are not token bows to immigrants. The whole package—all of these social, really human goals—is more than just a goal. They are needs; they are essential. They are the source of our strength today and the kernel of our prosperity tomorrow.

**Mr. Laughren:** Now for the bad news.

**Mr. Grossman:** If we apply ourselves to the provision of those items—quality not quantity—and at the same time keep the economy one in which price, wage, jobs and employment security and stability are the cornerstones, then our province can be the healthy province it is today; healthy both in financial terms and, equally important, social terms.

We, on this side of the House, won't permit Her Majesty's loyal opposition or any opposition to paint this government as one which is trying to do anything but find more efficient dollars and spend them more efficiently. We will continue to see that they're spent as extraordinarily humanely and with as much social benefit as has been the case in the past.

**Mr. Laughren:** What's your view on the Ontario Economic Council?

**Mr. Grossman:** Mr. Speaker, in seconding the motion for the adoption of the Speech from the Throne, I invite and expect my colleagues in the assembly to join me in scrutinizing the restraint programme, so that we can accomplish the double goal of restraint and progress without social or financial cost.

**Mr. McClellan:** Like your double talk.

Mr. Deans moved the adjournment of the debate.

Motion agreed to.

# KIRKLAND LAKE BOARD OF EDUCATION AND TEACHERS' DISPUTE ACT

Hon. Mr. Wells moved second reading of Bill 2, An Act respecting the Kirkland Lake Board of Education and Teachers' Dispute.

**Mr. Speaker:** Does the minister have an opening statement?

**Hon. Mr. Wells:** Yes, Mr. Speaker, provided that my hon. colleague, the member for Sarnia, doesn't object to my making an opening statement and then perhaps having a few words of rebuttal to close the debate.

**Mr. Bullbrook:** Not at all, not at all.

**Hon. Mr. Wells:** Thank you. I like to get his assurance ahead of time.

Mr. Speaker, Bill 2 is an Act respecting the Kirkland Lake Board of Education in the dispute between it and its secondary school teachers concerning the renewal of their contract which expired on Aug. 31, 1975. The purpose of the bill is to bring an end to this dispute which has been going on; and the part of the dispute that this bill brings to an end is the strike which has been in effect for 44 days, as of today.

I would like to review very briefly for the House some of the events that led up to the action that we are taking today. Negotiations started on April 9, 1975—about 11 months ago, and five months before the contract of the secondary school teachers employed by the Kirkland Lake board expired in August. Meetings were held, and as far as I can ascertain, and I certainly have no reason to believe to the contrary, negotiations continued in good faith.

Of course, as with other disputes, in the interval Bill 100 was passed by this House and became law and became operative in this province. As a result of that and since no contract was in effect on Aug. 31—or in effect Sept. 1, 1975, in fact—the provisions of Bill 100 that provided for the appointment of a fact-finder took effect. On Sept. 11 a fact-finder, Mr. Grant Gillespie, was appointed to study, listen to comments about and make a report concerning that dispute. This report was presented and it was made public on Oct. 30.

Subsequent to the report being made public, and no negotiated settlement of the dispute being arrived at, the Education Relations Commission appointed Mr. Vic Pathe as a mediator, and he met with the parties on numerous occasions between Nov. 24 and Jan. 7, 1976, in an attempt to assist

them to bring about a negotiated settlement.

However, no settlement was arrived at and on Jan. 12, 1976, after a vote, again under the ground rules provided for by Bill 100, a strike began of the secondary school teachers against the Kirkland Lake Board of Education. While that strike has been in effect, Mr. Pathe has continued to be available for mediation; and has indeed been meeting with the parties on certain occasions during the course of the strike, this at the direction of the Ontario Education Relations Commission.

That then brings up down to March; and as we moved into the month of March it began to appear that we had here an insoluble situation. On March 1, I received a letter from the director of education of the Kirkland Lake board, indicating that he and the board were very concerned for the programmes of the students under their jurisdiction. On March 3, I asked the Education Relations Commission, through a letter, to assess whether the students' programmes in this jurisdiction were now in jeopardy.

As a result of that letter and the deliberations of the Education Relations Commission, it was decided to hold a public hearing in Kirkland Lake on March 6, last Saturday. At that time, the chairman of the commission, Mr. Owen Shime, held a hearing and listened to the parties concerned and to arguments concerning the pupils' programmes and whether they were in jeopardy and indeed the whole matter of whether this dispute could be settled or was likely to be settled in the very near future through negotiations. In other words, could a mediated settlement be arrived at in a reasonably short length of time?

I think it is fair to say that the Education Relations Commission, as they reported to me, believed that there was not too much difference between the parties and that perhaps, with a little encouragement, the parties might arrive at a negotiated settlement. As I've said many times in this House, and I will say it again, the preferable way to have these disputes settled, for all concerned, is through a negotiated settlement—a settlement that is agreeable to both parties, that allows a spirit or atmosphere of the highest accord to be brought back to the schools where there have been certain feelings built up because of a strike and because of contract negotiations. So certainly a negotiated settlement is the preferable way to have a dispute such as this, and indeed all disputes, settled.



**Mr. Foulds:** Mr. Speaker, I wonder if the minister would permit a question so we can understand the chronology here. The minister mentioned that the ERC still felt a negotiated settlement could take place. At what time was that? Could he give us the latest date?

**Hon. Mr. Wells:** Yes, after the hearing on Saturday, they still believed that because there didn't seem to be that much difference between the parties, it might be possible to arrive at a negotiated settlement. Therefore, on Monday the commission in Toronto asked both the parties, the teachers and the board, if they would come to Toronto to meet with the commission on Tuesday of this week. The parties agreed and they met with the commission in the afternoon of Tuesday of this week. The commission then talked to the parties about the dispute and pursued with them different ways of perhaps bringing the dispute to some kind of a negotiated conclusion.

As a result of those discussion, they again asked Mr. Pathe, the mediator, assisted at this time by Mr. Douglas Lawless, the chief executive officer of the Education Relations Commission, to meet here in Toronto to see if they couldn't arrive at some conclusion to their differences and arrive at a settlement to their contract. The parties met through Tuesday evening until about 4 o'clock Wednesday morning. However, I'm told that at that point in time there appeared to be no way that the parties could arrive at a negotiated settlement. They were in fact at an impasse.

The commission at that time, reviewing the events, wrote to the cabinet and indicated in a report, a portion of which I read yesterday, that they felt the continuation of this dispute in Kirkland Lake could jeopardize the programmes of the students. I'll just quote two sentences from the report, which I will be happy to give to my friend if he wishes to see it or to any of the education critics for the two opposition parties. But the two operative sentences in the report, I think, are these—and I'm quoting from the report:

We believe that the time at which the students will have been placed in jeopardy will almost certainly have arrived before a negotiated settlement is concluded.

[Further, they said] It is our opinion that the continuance of the strike in this dispute will place in jeopardy the successful completion of courses of study by the students affected.

[4:30]

Now, as members will recall, when we were here in January and discussed the bill concerning the Metropolitan Toronto dispute, I quoted from a statement that I made to the Legislature last spring when we introduced Bill 100. That statement was this:

This government has no intention of allowing this legislation, that is, Bill 100, to be used to cause a major disruption in the education of pupils, and it's our public responsibility to retain the right to take specific action, including legislative action, if necessary, should serious disruptions of educational services occur. We have that responsibility and we will not shirk it.

That's what we said when we introduced Bill 100, which we think and which we know provided a much more logical and ordered process for the settling of contract disputes between teachers and school boards in this province.

Therefore, the government having received the report yesterday from the Education Relations Commission, felt that we must act and that we must act quickly in this dispute and that we had only one course of action, given the fact that the dispute has gone on for 44 days, that the Education Relations Commission had reported to us that the pupils' programmes were in jeopardy and that there appeared to be no way that a negotiated settlement could be arrived at in a very short length of time. Therefore yesterday we indicated our intention and tabled Bill 2 which brings a legislated settlement to this dispute.

The question which logically arises, and I'm sure will arise during this debate, is, when do we exercise this responsibility that we, as a government, indicated that we have and which we cannot shirk and which we will not shirk—that is, the responsibility of when should we legislate a settlement in a dispute such as this?

**Mr. Reid:** You didn't wait that long in Toronto.

**Hon. Mr. Wells:** We're not very far off. I would like to stress that we have to consider each dispute as an individual situation. Each particular situation has to be looked at in the context of what is happening there and not as part of a general precedent set by other disputes. We have to find out whether certain things have occurred. I think I indicated what those things are: whether there is no chance of a negotiated settlement being arrived at; whether there is an impasse; what does the commission say about the programmes of the students and the effects that the disturbance is having on those programmes.

Therefore, certainly as far as I'm concerned and this government is concerned, we will look at every dispute as a particular individual situation, not using any particular ground rules. I must say to my friend from Rainy River who interjected that the Toronto dispute didn't last quite that long, that the thing that bothers me most is that some people say we were more concerned about the Toronto dispute than we were about the dispute in northern Ontario. Nothing could be further from the truth. Anybody who would think such is completely wrong because every dispute in this province, be it in northern Ontario, eastern Ontario, southwestern Ontario or Metro Toronto, gets the same attention by the Education Relations Commission and the same attention by this government.

**Mr. Foulds:** Yes, but not by the minister.

**Hon. Mr. Wells:** By the minister and the ministry. It gets the same attention by everyone.

**Mr. Foulds:** Not in this case.

**Mr. Martel:** You were not directly involved.

**Hon. Mr. Wells:** I was very aware of what was happening at all times in this particular dispute.

**Mr. Martel:** You're not directly involved.

**Hon. Mr. Wells:** In this particular dispute or any of these disputes.

**Mr. Martel:** How many times were you directly involved in this one as opposed to the Toronto one?

**Hon. Mr. Wells:** My friend, of course, misses the whole point of Bill 100.

**Mr. Martel:** I am not missing the whole point.

**Hon. Mr. Wells:** The point is that I am not supposed to be directly involved in disputes in this province. You may say, "Why were you directly involved in the Metropolitan disputes?" I was wearing two hats in that dispute.

**Mr. Martel:** Why?

**Hon. Mr. Wells:** I was also a local member in one of the areas that was affected—

**Mr. Reid:** That is pretty weak.

**Hon. Mr. Wells:** —to the same extent that the member from that area was involved in the dispute in that particular area. How

many times did he come and see me and talk to me about it? Perhaps he'd like to indicate that to you.

**Mr. Foulds:** He will.

**Mr. Bain:** He won't have to.

**Hon. Mr. Wells:** I just have to tell the members, though, that if they think that we consider these matters, because they happen to occur in other areas of the province, with any less seriousness or in any less serious way than we would consider a dispute in Toronto, they are wrong.

**Mr. Foulds:** Where are your members?

**Hon. Mr. Wells:** They are wrong.

Interjection.

**Hon. Mr. Wells:** I want to stress again that we do not, we will not and we have not set any rule that, after a certain length of time, any dispute must be legislated, because to do so would completely abrogate some of the principles of Bill 100.

**Mr. Foulds:** Quit stealing my stuff.

**Hon. Mr. Wells:** No, you are stealing my stuff.

**Mr. Foulds:** No way.

**Hon. Mr. Wells:** Each dispute must be looked at in its own particular context as a unique matter and that is the way we do it.

Taking everything into consideration, Mr. Speaker, we have concluded that the Kirkland Lake schools must reopen and the teachers return to school this Monday which we believe will and can happen with the concurrence of this House. We think that failure to proceed with this legislation now might place the students in that jurisdiction in an irreparable position as far as their future education and career plans are concerned.

**Mr. Spence:** Mr. Speaker, might I ask the minister a question?

**Mr. Speaker:** If he will permit it.

**Mr. Spence:** When the teachers of secondary schools work to rule for 93 days, when do you take action after 93 days and the teachers go out on strike and they have a school lockout?

**Hon. Mr. Wells:** I really don't think that that particular question is relevant to this piece of legislation.

**Mr. Speaker:** It is not relevant to this piece of legislation.



**Hon. Mr. Wells:** I would not want to be a party to abusing the rules of this House.

Interjections.

**Hon. Mr. Wells:** Perhaps the hon. member could direct that question to me during the question period.

**Mr. Lawlor:** Which school did you go to to learn all the right answers?

**Hon. Mr. Wells:** I have been listening to you.

**Mr. Martel:** He's been taking lessons from the Minister of Correctional Services (Mr. J. R. Smith).

**Hon. Mr. Wells:** Mr. Speaker, the bill that we have introduced today follows, in identical pattern, the bill that was introduced in January to bring to an end the Metro dispute. It requires that the teachers return to school on Monday so that full programmes for the students will be restored immediately.

All matters that remain in dispute will be referred to an arbitrator for a decision. The decision will be given by the arbitrator within 30 days and will be binding upon both parties. Professional activity days will be cancelled for the balance of the school year so that every available day can be used to help students make up the time lost during the strike.

The bill also defines strike as it is defined in Bill 100. The penalty provisions are the same as those which apply in Bill 100.

I think I should say in this debate that we are not enthusiastic about bringing in legislation like this, particularly twice in, I guess, two months' time. I believed when we brought Bill 100 in that we wouldn't have to bring in this kind of legislation but, likewise, I have to say that we cannot shirk our responsibility if there is solid evidence that students are being harmed or being detrimentally affected by a dispute.

Therefore, we feel that we really do not have any other alternative but to arrive at the decision we have arrived at. That it, to introduce this bill at this time for this dispute. I hope it will be passed very speedily by this House.

**Mr. Bain:** This afternoon I would like to introduce a reasoned amendment to the bill that has been brought in by the minister. Briefly, before I deal with some of the important aspects of this dispute, I would request the indulgence of the House. As I'm sure the minister appreciates, yesterday the time frame

did not allow us much time to submit a reasoned amendment. If the reasoned amendment is passed, I assume that the minister and the government would allow for a deletion of subsections 4, 5 and 6 in section 3, when we move into committee.

The situation that exists in Kirkland Lake, where the students at Kirkland Lake Collegiate and Vocational Institute have been without their classes since Jan. 12, is indeed a serious one. As the member for the riding I would like to make the members of the House aware of some of the background that has led to this dispute.

Not only is the dispute important for the people of Timiskaming, it is also important for the government—because the introduction of Bill 2 is beginning to set a precedent. It is also important because of the AIB and its interference in the negotiating process.

Finally, this bill is important because it has wide-reaching implications for the whole collective bargaining process in this province.

As was mentioned, I will officially move the reasoned amendment when I have completed the rationale for its discussion. The introduction of this reasoned amendment by myself and seconded by the member for Port Arthur (Mr. Foulds), the education critic for our party, is an attempt to alleviate what is a very difficult situation. It is an attempt to provide the proper atmosphere in the school once it is reopened. I will deal later with a clause-by-clause presentation of the reasoned amendment.

If you look at Bill 2, which the minister has just presented, or dealt with officially—he presented it yesterday—you will find it is a straight piece of back-to-work legislation and arbitration. Unfortunately, it is nothing very creative. As the minister admits, there is nothing that separates this bill from the bill that he introduced to put the Metro teachers back to work.

When the bill was introduced dealing with the dispute in Metro Toronto, my party attempted to add a new element to try to resolve these disputes that result in a strike. We feel that this is an innovative introduction and that it would be very useful in preserving the validity of Bill 100.

Negotiations between the high school teachers and the Kirkland Lake Board of Education began in April, 1975, for the 1975-1976 contract. Prior to the strike vote being given to the board as an official notification, the last negotiations occurred between the board and the teachers on Oct. 22, and the last mediation session occurred on Dec. 4, 1975.

It was not until the notice that strike action would commence on Jan. 12—that a flurry of mediation sessions occurred that day, Jan. 6, and on the following day. Despite this last-minute attempt, the board's offer remained unacceptable to the teachers. On Jan. 2, the teachers of Kirkland Lake Collegiate and Vocational Institute went out on strike. The strike lasts to this day, today being the 44th day of the strike. There are over 1,600 students affected by this strike.

[4:45]

This is some of the short-term background to the present situation in Kirkland Lake. The long-term background, I feel, will help the House to understand the reason for the supposed impasse between the board and the high school teachers.

Before the reorganization of Ontario school districts into regional school boards there was good rapport between the board and the teachers. Indeed, the board paid the high school teachers \$400 to \$500 on the average above a comparable salary in Toronto. The rationale for this, as presented by the board, was that it was more difficult to attract and keep qualified teachers in the north than it was in southern Ontario, especially in the large urban areas, where there were more amenities and where teachers had easy access to university facilities to upgrade their education.

The secondary school board, it is interesting to note, had the entire administrative staff in a small office in the secondary school. The administrative staff consisted of two people, and at that time the enrolment in the high school was basically the same as it is today. With the advent of regional school boards across the province a massive bureaucracy grew up, and this was also true in the case of Kirkland Lake.

Although there was still only the single high school, there had to be a new regional school board office, there had to be a director of education and the innumerable superintendents all earning large salaries. This meant an additional burden to the taxpayers.

For the teachers, something much more important happened in this transition. The relationship that existed between them and their trustees was eroded and finally obliterated. It was no longer possible for an individual teacher to discuss a problem with an individual board member. That problem had to go through the formal channels and eventually it may or may not get to the board, at the director's discretion.

I am sure that this is true of most areas in this province. Prior to the regional school board, all the school board members knew the parents and knew the teachers. The board members got together with parents and teachers on a regular basis; everybody knew and respected each other's opinion and everybody worked together to improve the quality of education.

I recently had an example mentioned to me by a lady in Toronto that brought home this whole problem of regional school boards to me. When she moved to the city she started to teach for the separate school board in Toronto. The first day that she was sick she duly phoned up the number that her principal had given her to report her illness if she should ever have to miss school because of illness. She had automatically assumed this was a number in her own school. It turned out to be a number at the school board that was answered by an answering service. The voice came on and told her that they were grateful for her phoning, could she please leave her name, her address and the school that she teaches in, and the subject she teaches.

Needless to say, she didn't recover in time to put the message on the tape the first time and she had to phone back. This is the ultimate in impersonality that has been inflicted on the board and the teachers because of regional school boards.

Teachers also feel that the standards in education have fallen, that discipline is eroding, and they look to the minister for leadership. Unfortunately, the Minister of Education—and I don't personally fault the minister—has been willing to take up every "progressive" innovation, and again I think that's an improper word, that has failed in the United States.

**Mr. Martel:** He is talking about you, Tom.

**Mr. Bain:** By the time these innovations were proved to be ineffectual in the United States, they were in full force in Ontario and now we are stuck with many of them, and fortunately I assume the minister will re-evaluate some of these and put education back on a very simple person-to-person basis.

The most important thing in education is the relationship between the student and the teacher and the problems that have arisen because of declining standards, declining leadership, declining discipline, have eroded this relationship. Teachers feel that they are holding up the whole system by themselves.

They need a classroom size that allows them to be able to relate to their students on



an individual basis. They also feel it is legitimate to maintain their purchasing power and increase their own salaries. Unfortunately budgetary restraints imposed by the Minister of Education over the last number of years have made it more and more difficult for the teachers to keep pace with inflation. All these problems that are evidenced all across the province have been crystallized in Kirkland Lake.

To cap the whole evolution of the impersonal relationship that has arisen, the final crunch came in 1974-1975 when the board hired a professional negotiator from Toronto. Now the board would no longer negotiate directly with its own teachers but would use a professional to do its job.

Specifically, the salaries of the teachers under the jurisdiction of the board continued to fall at the high school level. In 1974-1975, the average salary for a high school teacher at KLCCVI was \$13,913. The provincial average was \$15,231.

As the teachers looked around at the contracts that were awarded by boards in other parts of northeastern Ontario, they found that in 1974-1975 their contract was the lowest. Nipissing, Timiskaming, Timmins, Kapuskasing all had better contracts. For the teachers at KLCVI, this was their catch-up year. If they didn't get an increase now, with the maturation of the AIB they never would get it in the foreseeable future.

At best, the board's attitude at times was rigid, if not truculent. I appreciate the board's position as the provincial government continues to increase grants. Recently I attended a board meeting in Kirkland Lake and the board did not yet know what their exact grant would be and they were extremely worried about the reduction in grants.

On Jan. 23 of this year, Mr. Fred Nuttall, the chairman of the Leeds and Grenville Board of Education, stated that because of the reduction in ministry grants his board faced a 25 per cent increase in the mill rate, simply because of the reduction in grants, not because of any increased costs. The increased costs obviously would increase this mill rate even more.

On Tuesday of this week the minister mentioned in his introductory remarks that the ERC met with the board representatives and the teacher negotiating team in an attempt to bring about a negotiated settlement. It is true that the Education Relations Commission summoned the teachers' negotiating team and board representatives to Toronto to defend their position that the students' education was in jeopardy, but according to the chairman of

the board, the board at no time was informed that they would be expected to undertake negotiations while in Toronto—at no time. Indeed, before the board representatives came to Toronto, a meeting of the board on Monday evening instructed those representatives to offer no more money to negotiate, nothing that would mean an additional payment by the board. Now that is not my idea of constructive negotiation.

We now turn to the problem that my party faces and that I personally face in dealing with any back-to-work legislation. The thought of back-to-work legislation for any group of working people in this province is repugnant to me as it is to the rest of the members in my party. It is with great difficulty that we support the principle that the school must be re-opened, despite the fact that this entails that the teachers will be legislated back.

I believe that with the reasoned amendment we have introduced we have been able to accomplish the necessity of re-opening a school while—and this is most important—contributing to the development of an atmosphere that will be conducive to learning once the school is re-opened. Forcing the teachers back to work without salvaging anything from the board-teacher negotiations will jeopardize the return to a normal school environment.

It is very important now more than ever that the students and the teachers be happy and be ready to get down to work. This cannot be accomplished if the teachers feel they have not benefitted in any way from negotiations and that they are merely being forced back to work now to be hit over the head by the arbitrator later. Decisions by arbitrators are notorious for taking from working people what has been gained by collective bargaining.

Keeping in mind that arbitration is just another way of stepping on working people and hoping to establish a good atmosphere in the school from the first day it re-opens, I am introducing this amendment which basically says that the progress that was made in the last round of negotiations between the teachers and the board is important and that it must be salvaged. The board and the teachers should resume negotiations. The interim settlement in the first year of the contract would be the board's last non-prejudiced or non-tabled offer, which was presented on Feb. 27. At that time, both the teachers and the board presented non-prejudiced offers and the offers were only \$12,000 apart in the first year.



I believe that this is remarkable progress that the two parties could come this close. I think it says a great deal for the community that this round of negotiations only took place after there was a public board meeting on Feb. 23 and the public would not tolerate the board's unwillingness to negotiate.

Before I get into the clause-by-clause development of the reasoned amendment, I would simply like to say that the same solution that the government felt was a solution has had serious repercussions in Toronto. You talk to students who are now back to school and they will tell you that things are just not the same. The teachers are not happy, the students are not happy, there's a tremendous feeling of frustration. I believe it's important to re-open the school, but it is even more important to re-open the school with a good atmosphere in the school.

[5:00]

This kind of legislation which the government has introduced in Bill 1—back to work and arbitration—has a wider implication for this province. How long will it be before this legislation is introduced again for the teachers in Central Algoma who are also presently out on strike? How long before it will be introduced for the teachers in Sault Ste. Marie who may depart from rotating strikes and embark upon a full-fledged strike? How long will it be before too many Bill 2s have been introduced and Bill 100 has had the last nail driven into its coffin? How long?

**Mr. Ferrier:** It's getting easier all the time for them over there.

**Mr. Bain:** How long will it be before the government uses this bill as a model for the civil servants, for the nurses and for the whole spectrum of the public service that have, believe it or not, used the right they were given—a right I am sure the government thought they would never use or, at least, hoped they would never use? The right to strike, when all is said and done, is the only right working people have. If we take that away, we are taking away the only thing that makes collective bargaining work in this province. Although it works by a very halting, faltering method—the government has ensured that—strike action is the only safeguard that working people have when they undertake collective bargaining.

How long will it be before that right is removed by this government?

Mr. Bain moved that Bill 2 be not now read a second time but be read a second time one hour hence and that it now be re-

ferred back to have incorporated therein the following amendment:

Section 1: Delete subsection (a) and re-letter the remaining subsections.

Section 2: Subsections 1 and 2 to be deleted and the following substituted therefor:

During the period from and including the first Monday after this Act comes into force, until an agreement as defined under the School Board and Teachers Collective Negotiations Act, 1975, comes into effect, no teacher shall take part in a strike against the board of education, and the board of education shall not lock out a teacher.

Subsections 3 and 4 to be renumbered 2 and 3.

Section 3: Subsection 1 to be deleted and the following substituted:

The terms and conditions offered by the board to the teachers in a document entitled "Non-prejudiced Offer" dated Feb. 27, 1976, shall be implemented on an interim basis.

Subsection 2 to be deleted and the following substituted:

The parties involved are instructed to resume forthwith negotiations in good faith in order to resolve all matters remaining in dispute.

Subsection 3 to be deleted and the following substituted:

(The parties shall each give written notice to the Minister of Education within seven days after the day this Act comes into force setting out all the matters the parties have agreed upon for inclusion in an agreement and the matters remaining in dispute between the parties, and the notice shall be deemed to be a notice to the commission and thereafter, except as provided by section 57 of the School Board and Teachers Collective Negotiations Act, 1975, a party shall not withdraw from the negotiation hereinafter provided for.

Section 4 to be deleted in its entirety.

**Mr. Bain:** It is essential that the school be reopened in Kirkland Lake but it is also essential that a good atmosphere be established in the school. The amendment that I have just moved, and Mr. Foulds has seconded, will accomplish both goals: The school will be reopened; the students and the teachers will resume their studies. The board's non-prejudiced offer will be the interim settlement of the monetary items in the first year of the contract, and the board and the teachers will be instructed to resume negotiations in good faith in order to resolve all matters remaining in dispute.



This means that the minister must take a more active role than he has in the dispute between the high school teachers and the Kirkland Lake Board of Education. To resolve the problems through negotiations, it will be essential that the minister lend his good offices to that effort.

This amendment is not the easy way out but, as both the parties involved—both the teachers and the board—have said a negotiated settlement would be the best kind of settlement, this amendment would reopen the school, take the pressure off both the board and the teachers and allow them to resolve their outstanding differences. This course of action will be the best for the community, for the parents, for the teachers, especially for the students and for the collective bargaining rights of working people all across this province.

**Mr. Ferris:** Mr. Speaker, I would like to address the House today on this matter. As a party, we will support the legislation and, as was true in January, we will not agree with the reasoned amendment as put forward.

**Mr. Foulds:** Not surprised.

**Mr. Warner:** I'm not surprised.

**Mr. Ferris:** The reasons for going to legislation of this type are no different than they were in January; in fact, it is almost like we never left the subject. It's only three legislative days ago, I believe, that we were doing the same thing. And we said that we would be here; we knew these people were on strike and we expected it.

But let's not forget that we also are the people who were involved on the educational boards of the province; we knew last June, when this bill was passed, that the minister would be doing this at some time or other. So it certainly can't come as a total surprise.

Of course, the reason we are here is the 1,500 students who are involved in the Kirkland Lake High School dispute. Already, we are told, approximately 130 have opted to go to other jurisdictions to get their education. It's not possible for all of them to do that. We are also told that some of them have terminated their school programme and have started working. The question is, will these people ever come back? So we must first of all think about what is happening to the students.

We have gone through, as the minister has said, 11 months of negotiations since it began. No school, in effect, has been taught for 44 days, which is longer than the Metro strike and perhaps raises the question in my mind,

who is ever going to decide what the magic number is? I totally agree with the minister when he says this is not a judgement that can be made on a number of days. Each one has to be treated, as he states, exactly as a unique situation.

But it bothers me a little bit that in this small community, where there would probably be much fewer facilities of a community nature—libraries, resource centres or even people who are qualified to help students because of their background, perhaps at university—there is obviously much less of that type of input available to help these students than there is in the Metro area, yet here we don't even go and get into it until it's a longer strike than the Metro situation. That upsets me rather strongly that we are not asking a quicker or more positive look in getting involved in the smaller areas.

The area for which I find the greatest criticism is in the workings of the ERC. They should be a very independent body. We have been told they are. The minister uses them once in a while in a fairly good stick-handling method to protect himself. I believe their role is to begin very early in the process to get involved, to really analyse the local situation much more publicly than they are doing at this time. I think they have this responsibility to do it. I don't think that they should be waiting for a call from the Minister of Education to say: "Tell me, are they really jeopardizing the programmes?" I think that is their responsibility to begin with. I don't think they have to wait for the minister.

We come down to the real question of how we would make the ERC more effective. That is surely what must be addressed in the near future.

I would also concur with the member of the NDP who thinks there could be some positive effects by the minister's office, or even the Premier's office, getting involved in the actual bargaining process—even if it is bringing them together in the minister's office, or any place else that they would be willing to meet, and sitting down and trying to work out some positive settlement before the prolonged period goes on.

Of course, the end result is that we're here for one purpose. We listened to all of the arguments that were made through the two days we spent in January. I believe that we should move reasonably quickly. We have learned nothing—although we probably should have—from the debate and the settlement in Toronto. It would appear that the ERC has not learned to move more quickly. And so,



we will support the legislation to restore the programmes for these students—which, in my judgement, I believe were irreparably damaged a long time ago. We would not support the reasoned amendment for the same reasons we gave before. All it would do would be to set an interval salary and negotiations would have no meaningful reason to ever come to any culmination. It would simply drag it on, on and on. I don't think that that would, in fact, create any better spirit within the school.

**Mr. Bain:** It wouldn't if the minister got involved.

**Mr. Ferris:** The minister has a firm position. He doesn't want to become involved.

**Mr. Warner:** It is his problem.

**Hon. Mr. Wells:** I've been involved in so many.

**Mr. Ferris:** The problems that are brought to the minister from the people of the north seem to be valid. Many times there seems to be a direct relationship about the acuteness of a problem depending on how close you are to the city of Toronto. I think there may be a great deal of truth in that. I think that we should proceed at this point with this legislation and help these children to get back to the school—reopen it.

We recognize that there are problems between the teachers and the students in relationship to the Toronto situation. Hopefully, this will not continue. It certainly demands on the part of all the people involved in it, a great deal of effort to restore a positive atmosphere after such a prolonged period. We would certainly hope that if this is carried out it could possibly restore the excellent system that exists, or had existed in the Kirkland Lake area.

[5:15]

**Mr. Foulds:** I rise with a tremendous sense of frustration, with a tremendous sense of déjà vu and with a tremendous sense of anger.

**Mr. Shore:** What does that mean?

**Mr. Foulds:** I rise with a tremendous sense of anger, because as I look around me I see that this Legislature, this government, the teachers' federations, the trustees' associations do not take a dispute in northern Ontario nearly as seriously as they do one in Metropolitan Toronto. That, being at the centre of the media, has a tremendous influence on the way government and legislators and agencies of government respond to a crucial problem.

Whatever side of the question you happen to be on, there can be no doubt, as you view the emptiness of the benches in the House, the emptiness of the galleries, that somehow in Ontario a small northern board and the education of those children and the concerns of that board and those teachers are not elevated to the prime level that the Metro Toronto dispute was. Once again, it seems that the judgement is made on the basis of numbers, not on the issue involved. The legislation that we have before us is an exact parallel, with one or two minor differences in wording, to the legislation that we had before us on Jan. 15 and our response, I suppose, was predictable. Our response is a parallel response.

Our response, I want to explain, tries to separate the two principles that are incorporated in the bill. Like any responsible political party, we feel, with the minister, that the time has arrived for the re-opening of the schools, but we do not feel that compulsory arbitration is the answer. We feel that that is almost a knee-jerk response on the part of the government and the Liberals and that it takes away a very hard won right. I want, if I may, to develop a little excursus—and I wish the current and temporary leader of the Liberal Party were here. On Feb. 28 in the *Globe and Mail*, if the *Globe and Mail* reported Mr. Stuart Smith's speech accurately, he accused this party, Her Majesty's loyal and official opposition, of irresponsibility. I want to quote from the report. He was talking about the hospital cuts, in fact, but he said—

**Mr. Sweeney:** Deal with the issues, Jim.

**Mr. Foulds:** I am getting into the issues. He said:

The NDP is forced to take such a position because of its ties to big unions. That is why the party had to argue for seven hours before they came out with what eventually was a ridiculous amendment to the teachers back-to-work legislation. The amendment talked about the need for negotiation and the need for a ceiling, but the plain fact was that they voted against the legislation and don't forget to tell people that when you are going door-to-door in the next election, especially at houses where there are children. It was the NDP who refused to vote the teachers back to work to get the kids taught.

I say, Mr. Speaker, that is complete irresponsibility. It is crass political talk because—

**Mr. Sweeney:** How did you vote, Jim?

**Mr. Foulds:** —they did so badly in Metropolitan Toronto—



**Mr. Good:** But it is true, nevertheless; it is true.

**Mr. Foulds:** —and it misrepresents our position, because our position was to reopen the schools then, as it is now.

**Mr. Sweeney:** How did you vote, Jim?

**Mr. Good:** Actions speak louder than words.

**Mr. Speaker:** Order please.

**Mr. Foulds:** I would like to point out, in speaking to this bill as in speaking to that bill, the present and temporary leader of the Liberal Party wasn't in the House very much during that debate because he was too busy out hustling votes for the leadership. Considering the narrowness of his margin, I can understand why.

**Mr. Sweeney:** You seem unusually concerned about it.

**Mr. Speaker:** Order please. Will the hon. member return to the principle of the bill?

**Mr. Foulds:** Yes, Mr. Speaker, I'd be delighted to return to the principle of the bill.

**Mr. Sweeney:** Put your actions where your mouth is.

**Mr. Speaker:** Order please, order.

**Mr. Martel:** It's not him; control those jackals.

**Mr. Speaker:** Would you give the courtesy to the hon. member so that he might continue?

**Mr. Foulds:** Thank you, Mr. Speaker. As the previous speaker in the debate, the lead-off speaker for the Liberal Party indicated that the principle in this bill is the same as the one that we were debating in January, I thought it might be appropriate to cite some parallel situations: The absence of the Liberal leader in the House today during this important debate in terms of the north, the absence during that debate in January and his subsequent erroneous comments.

**Mr. Sweeney:** Here's your speech, Jim, do you want to read it again? Do you want to read it again, the same speech?

**Mr. Shore:** Where's your leader, Mr. Foulds?

**Mr. Sweeney:** Where is he? The Toronto gallery isn't here to play to.

**Mr. Foulds:** He'll be in, he'll be in.

**Mr. Speaker:** Order please, order.

**An hon. member:** Mr. Speaker, control the third party.

**Mr. Martel:** It's those jackals down there.

**Mr. Speaker:** The hon. member will continue.

**Mr. Foulds:** Yes, I certainly will; you better believe it, Mr. Speaker.

**Mr. Martel:** Grossman is interjecting on behalf of the Liberals because he might jump over there. He's going to play it safe.

**Mr. Foulds:** There are substantial differences both in the circumstances and the elements of the dispute. In January, the minister led off on the debate, on Jan. 15, saying this: "Over the past year, every possible avenue has been explored in an attempt to achieve a negotiated settlement." He did not say that in leading off today.

**Hon. Mr. Wells:** Oh yes, I'll say it for you now.

**Mr. Martel:** You are accommodating.

**Mr. Foulds:** And the reason he did not say that is that it has not happened.

**Hon. Mr. Wells:** Oh yes it has.

**Mr. Foulds:** Because in this particular dispute the minister has not become personally involved, as he felt compelled to do by the pressure of his own caucus and the media in the Metro Toronto dispute.

**Mr. Martel:** He's right.

**Hon. Mr. Wells:** I even left it to the member for the area. He tried to settle it and he couldn't arrive at a settlement.

**Mr. Martel:** Did you give him the authority?

**Mr. Foulds:** Did you give him the ministerial authority to do so?

**Hon. Mr. Wells:** He's got the authority as a member of the House—

**Mr. Speaker:** Order please.

**Mr. Foulds:** I'm saying, and I'm saying with some seriousness, that this dispute has dragged on longer because the ministry and the government could conveniently let it drag on longer, so that it could become the longest dispute in teacher-board negotiations in Ontario. There was no special session of the House called for the northern Ontario dispute. There were no ministerial interventions called

for the northern Ontario dispute. Even the little addition, the clarification in the language of the bill, which clearly points out that the cost of the arbitration for each side will be picked up by the parties, didn't happen in the Metro dispute.

**Hon. Mr. Wells:** Oh, yes it did.

**Mr. Foulds:** What happened? Did you get stuck with the bill or do you just have to sort that out?

**Hon. Mr. Wells:** We made them pay.

**Mr. Foulds:** Those kinds of discriminatory things happen and speak volumes about the attitude towards the dispute and its importance in the picture of Ontario.

**Hon. Mr. Wells:** Mr. Speaker, on a point of order, in Metropolitan Toronto the parties did pay but it was pointed out to us that it was rather ambiguous in the bill. That means that the parties paid for their own lawyers and the legal time and so forth to prepare their case.

**Mr. Foulds:** They had a little trouble with that so they thought they would clinch it up this time. But I don't object to the addition in principle. I wished you had had it in the last one.

**Hon. Mr. Wells:** No, no, it's the lawyers.

**Mr. Foulds:** It's the lawyers' fault is it? The principle in our reasoned amendment is twofold. One of them is to get the schools open and the second one is that compulsory negotiations take place. Those seem to me to be two quite reasonable principles that an imaginative government would try to embody in legislation.

I suppose the members of my party feel as we sometimes did in the 1971-75 session, a little beleaguered; we have a little feeling of "Why do we fight this battle?" because we know the Liberals aren't going to support it. We knew that from our experiences in January.

**Mr. Sweeney:** That's why you introduced the amendment.

**Mr. Foulds:** If it's a labour dispute, the Liberals won't support it.

**Mr. Speaker:** Order, please, would the hon. member address the Chair rather than the third party?

**Mr. Foulds:** As a matter of fact, before I was distracted, Mr. Speaker, I was speaking directly to you.

**An hon. member:** He was even pointed at you.

**Mr. Sweeney:** Provocative!

**Mr. Foulds:** And this brouhaha to my left made me glance in this direction briefly.

**Mr. Warner:** The anti-labour Liberal.

**Mr. Foulds:** As I said, we know that this ragtag and bobtail group over here will not support us. We know that we are going against the government legislation; we know that we are going to go down to legislative defeat on this particular reasoned amendment. It is still important to us because the rights of working men and women are important to us and to this party.

**Mr. Warner:** And not to the government.

**Mr. Laughren:** And not to the Liberals.

**Mr. Foulds:** The authoritarian nature of compulsory arbitration is not an acceptable principle to this party.

**Mr. Warner:** It is repugnant.

**Mr. Foulds:** Every single time that the government withdraws that right, every single time that it does, it compromises the collective bargaining process and the hard-fought rights of working men and women, whether it is with teachers or elevator workers or railway workers or transit workers.

**Mr. Martel:** In fact, the liberals have never supported labour. They have always voted for compulsory arbitration.

[5:30]

**Mr. Speaker:** Order please.

Interjections.

**Mr. Nixon:** The Liberal-Labour Party supports us.

**Mr. Foulds:** I would like, if I might, to explore for a few moments the crisis in education that this particular bill points up, because there is, there must be, something profoundly wrong with an educational system in which the workload and the frustrations are so great on the part of teachers, on the part of administrators and on the part of trustees, all of whom I believe to be reasonable people, when a breakdown such as this one has occurred when they were apparently so close.

There is something profoundly wrong, and it seems to me that we should as legislators examine that question very closely. I think that the solution may not be the obvious one



of some reworking of what we refer to as Bill 100. I want to refer to one of the things that disturbed me when I and my colleague from Timiskaming met with some of the representatives of the board yesterday, late morning or noon—

**Mr. Hall:** He is here now.

**Mr. Foulds:** Terrific, I am glad to see him here. Mr. Speaker, I am glad to welcome the pink panther or toothless tiger, the leader of the Liberal Party, to the debate.

**Mr. Speaker:** Order, please. Would the hon. member return to the principle of the bill, please.

**Mr. Martel:** This is the old leader. The new leader was trying to steal the mace today.

**Mr. Speaker:** Order, please.

Interjections.

**Mr. Foulds:** If I can get back to the principle of the bill, Mr. Speaker, to one of the things that disturbed me. I thought the meeting was a very good one and I felt that the representatives were fairly reasonable and objective people and they were trying to present as objectively as they could their position to us. One of the things that disturbed me is that they felt—at least they indicated to us—that it was already too late in some instances, that the dispute had gone on too long, that the courses would not be completed. If that is so, then the fact that this piece of legislation will simply reopen the schools emphasizes the fact that it will simply be an opening of the schools rather than a reopening of the educational system that will fundamentally assist the young men and women in it.

During the debate in January I think I put a fairly spirited defence of the Education Relations Commission and certainly of the bill, the general legislation. I must confess that at the present time I have some doubts about the effectiveness of the ERC either in the beginning stages of negotiation or in those final stages before the breakdown comes. I think that it very seriously needs to pay attention to upgrade the kind of personnel that it puts into those situations so that an effective mediation fact-finding can take place.

**Hon. Mr. Wells:** Are you suggesting that the mediator wasn't of the calibre that should have been there?

**Mr. Foulds:** What I am suggesting is that in educational disputes there is some addi-

tional expertise that needs to be gained by the commission and the people working in it, even by the mediators that have very good and traditional labour mediation backgrounds. I think that some of the traditional tactics, if I may say so, that have been associated with so respected a figure as Mr. Dickie may not apply particularly well in the teacher-board negotiations procedures; there needs to be adaptation of some of those tactics. That's what I am saying.

**Hon. Mr. Wells:** Mr. Pathe is very highly qualified.

**Mr. Foulds:** I know Mr. Pathe and I know of his work and it's very good but he still was unsuccessful. I know you win some and you lose some, but I think that one of the primary jobs of the Education Relations Commission over the next few months, as we examine these disputes that have occurred—and it could very easily be done in conjunction with the Ministry of Labour—is to look at this whole question of public sector disputes and some of the particular items, which may not be monetary, that seem to cause the greatest friction and how these could be solved relatively early in negotiations.

I don't have any magic solution. My party, believe it or not, doesn't pretend to have any magic solution in this area. But I think it's an area that we have found has not worked as effectively as we would have hoped when we originally passed the bill.

I want to deal very briefly with my remaining 16 points—

**Mr. Grossman:** Sixteen?

**Mr. Deans:** He read those same 16 points in caucus this morning.

**Mr. Grossman:** It could be 60; let's not complain.

**Mr. Foulds:** Yes, the same 16 I read to the caucus this morning.

**Mr. Martel:** It took three hours and there were no interjections. Can you imagine?

**Hon. Mr. Wells:** I can't imagine you not making an interjection.

**Mr. Martel:** I sat quietly through it all.

**Mr. Deans:** He wasn't there.

**Mr. Foulds:** I suppose the major question is, what is the government up to and what are the results of this kind of legislation? I think that the government, on Jan. 15 set us, as a Legislature, on a course that is slowly

becoming irreversible; and I think it is a dangerous course that the government has set out for us. What are we going to do?

Are we going to set aside every second Thursday for single-bill emergency legislation dealing with unsettled teachers' disputes? Can we expect a bill entitled, An Act respecting the Kent County Board of Education and Teachers' Dispute, two weeks from today? Can we expect a bill four weeks from today entitled, An Act respecting the Central Algoma Board of Education and Teachers' Dispute? Can we expect a bill six weeks from today entitled, An Act respecting the Sault Ste. Marie Board of Education and Teachers' Dispute? And can we expect, maybe eight weeks today, a bill entitled, An Act respecting the Provincial Schools Authority and Teachers' Dispute? There's a road that we're on that I really don't like.

If I may take a little excursus to talk about the Provincial Schools Authority, I think that the ministry has a lot to answer for there, because the principle is the same. The Provincial Schools Authority, far more than boards of education across the province, are almost provoking those teachers to a strike vote. When that particular group volunteered to submit all outstanding items to arbitration, one of the negotiators for the provincial schools authority—I'm not sure who—answered them and this ties into the principle of this bill: "Do you want to give up your right to strike? We'll take it out of the legislation right now if that's what you want." That seems to me to be sabre rattling. And the government itself—

**Hon. Mr. Wells:** No.

**Mr. Foulds:** I'll swear to it.

**Hon. Mr. Wells:** Oh, I can imagine—

**Mr. Foulds:** The government itself has set a damnable example and those particular teachers have not received an offer since the fall. Now, if we're preaching to the boards of education and to the teachers' federations across the province to bargain in good faith, I think that the government should set an example.

**Mr. Martel:** They're setting an example—a bad one.

**Mr. Foulds:** But they're setting a confrontation example, which is what worries me. And, for example, by the Provincial Schools Authority refusing to bargain working conditions, they are encouraging boards to not bargain working conditions. In this respect, I must say that the boards to a large

extent have been far more progressive than the ministry.

**Hon. Mr. Wells:** Can I just correct my friend, if he will let me, Mr. Speaker? Certainly we are not refusing to bargain on working conditions; that's in the legislation. If our negotiators are not working in the spirit of the legislation and bargaining on working conditions, they are not adhering to the spirit of that legislation. They are certainly doing so without our authority.

**Mr. Foulds:** I am saying to you very seriously, Mr. Speaker, and through you to the minister, that the negotiators are not observing the spirit of that legislation.

**Hon. Mr. Wells:** Of course, there is a fine line between not bargaining and sort of saying "Look, that's what it will be."

**Mr. Foulds:** No. They are saying that's not even going to be in the contract.

**Mr. Shore:** This is not a debate.

**Mr. Foulds:** If we can expect a bill a week or every two weeks, when can we expect the final bill? The final bill imposing compulsory arbitration on all teacher-board disputes?

**Mr. Laughren:** That's a good question.

**Mr. Foulds:** That is the question that I think every member of this Legislature has to examine today. Are we going to say this is the last bill?

**Mr. Laughren:** The Liberals would.

**Mr. Foulds:** Or are we going to say there are going to be six more?

**An hon. member:** Do away with Bill 100.

**Mr. Foulds:** I really am very disturbed about this question, I think it's a fundamental one that faces us.

**Mr. Shore:** How you are going to vote?

**Mr. Foulds:** How are we going to vote? We are going to vote for our reasoned amendment and against the legislation.

**Mr. Nixon:** I just want that clear. You are voting against opening the schools?

**Mr. Foulds:** No. That's what the member for Hamilton West tried to say.

**Mr. Bain:** We are in favour of reopening the school, we are not in favour of sacrificing the whole collective bargaining process in this province.



**Mr. Laughren:** That's just your smoke-screen.

**Mr. Speaker:** Order, please.

**Mr. Martel:** Now, Bob.

**Mr. Foulds:** I am glad to see that the elder statesman of the Liberal Party has joined the debate and will be making a contribution to the debate.

**Mr. Speaker:** Would the hon. member please go back to the principle of the bill.

**Mr. Sweeney:** Straight talk, no beating around the bush.

**Mr. Nixon:** You are going to vote the same way you did on the Toronto bill? Fine, go ahead. You are making the same speech and it's almost as good as it was last time.

**An hon. member:** After a remark like that, he won't be the elder statesman.

**Mr. Foulds:** I hope that his contribution will be more than the extended interjections he has made so far.

Interjection.

**Mr. Foulds:** Coming from you that's high praise indeed. I appreciate it.

**Mr. Cunningham:** Put your jacket on.

**Mr. Martel:** It was cold in those days.

**Mr. Foulds:** If I can get to a few specifics—we opposed the bill on Jan. 15, 1976, because of the principle I have just enunciated. The erosion starts—

**Mr. Nixon:** Your leader made it quite clear he didn't oppose the bill. He was supporting the amendment when he voted against it.

**Mr. Martel:** Where is your leader?

**Mr. Breaugh:** Where is that other Liberal leader? He does much better than you.

**Mr. Speaker:** Order, please. Everybody will have an opportunity to enter the debate.

**Mr. Martel:** Mr. Holton ran out with the mace.

**Mr. Foulds:** Will the real Liberal leader please stand up?

**Mr. Speaker:** Will the hon. member continue with the principle of the bill, please.

**Mr. Wildman:** The leadership of the Liberal Party is illegal, remember.

**Mr. Foulds:** I am just consulting my floor-plan to see—

**Mr. Martel:** He can't find Holton's seat.

**Mr. Foulds:**—who those cheap jibes are coming from.

We opposed the individual piece of legislation on Jan. 15 because it eroded a basic hard-won right for full and free collective bargaining. We are opposing this piece of legislation for the very same reason.

**Mr. S. Smith:** The member for Scarborough West (Mr. Lewis) said it was because there was no floor. That's all he said.

**Mr. Foulds:** Are you going to enter the debate?

**Mr. Nixon:** We are trying to improve your speech.

**Mr. Foulds:** Terrific; which one?

**Mr. Speaker:** Will the hon. member please ignore the interjections and proceed with the presentation?

**Mr. Martel:** Is the member for Armourdale (Mr. Givens) getting in on this debate later on?

**Mr. Foulds:** Yes, where is he? Is he coming in on this debate?

**Mr. Martel:** If he gets in he can tell us about the working slobs. I will wear my button and send him one.

**Mr. Shore:** Can you read it?

**Mr. Martel:** Get him in here.

**Mr. Foulds:** In the minister's statement yesterday, the minister said that the commission held a hearing in Kirkland Lake last Saturday, "And a further hearing with the board and the teachers here in Toronto yesterday. The parties negotiated from yesterday afternoon until 4 o'clock this morning. However, they came to an impasse."

I would have to say that negotiations in this particular dispute appear to be at an impasse. Nothing further seems to be taking place, nor does it seem possible that anything further will take place.

[5:45]

I think the Education Relations Commission made a very serious error if what the board reported to us is accurate. Because when they were told after the commission hearings on Saturday, to come to Toronto, they had no idea that it was for further negotiation and they were not informed, to the

best of my knowledge, according to the information that they gave us yesterday, that they would be expected to negotiate. The team that came down in this last-minute attempt from the board did not have a mandate from the board for further negotiation.

**Hon. Mr. Wells:** Why did they negotiate, then?

**Mr. Bain:** They were told they had better; so they sat down and listened, but you weren't going to do anything.

**Mr. Speaker:** Order, please. Will the hon. member continue with his remarks?

**Mr. Foulds:** In fact, the minister's interjection is a germane one. Ultimately the result was that they didn't negotiate because they did not move from their position. The exercise, although dramatic and apparently real, was a fraudulent one and doomed to failure. I think that that is something we should clearly understand and that both parties in the commission should get on the same wave-length about, that when they're calling people together they clearly outline to them that they're calling them together to talk turkey, to talk negotiation. If they don't have the mandate to do that, let's not fool around with the grandstand gesture of the last moment.

**Hon. Mr. Wells:** Did they think they were coming down here for a tea party?

**Mr. Martel:** I wouldn't be surprised. It wouldn't be the first one you guys threw.

**Mr. Foulds:** They probably thought that the Minister of Government Services (Mrs. Scrivener) was going to award the great seal of Ontario to someone.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Foulds:** I just want, very briefly, to sum up, Mr. Speaker.

**Mr. Martel:** That's only point 12.

**Mr. Foulds:** According to the material that I have in front of me, according to the board, there are only five or six outstanding items. The parties are extremely close on the first year. The teachers seem to be willing to submit the second year to voluntary but binding arbitration. The board seems, as I understand it, willing to submit only three of the outstanding items in the second year of binding arbitration but they don't seem that far apart.

What we have here is a genuine tragedy, a breakdown in collective bargaining. We have a tragedy in view of the intervention by the Legislature to erode once again the collective bargaining process. I am disturbed that the Education Relations Commission did not see fit in the judgement that the minister was good enough to pass on to me to include in its decision the reasons for its conclusion that a negotiated settlement was not possible.

I have a very uneasy feeling that they were instructed to rush to judgement by the minister and that the commission is not as independent an authority as he would like to make it out and behind which he sometimes hides when he says it is not his job to intervene directly in these disputes.

My colleague from Timiskaming has outlined the reasons for our reasoned amendment. We have outlined those reasons and some of my other colleagues will be elaborating on those points. It seems to me that our proposed legislation accomplishes a couple of things that the minister's legislation does not. It goes further in that it provides for a floor agreement. It is the model by which both sides can get out from under the impasse that they are presently at and it does not impose the very repugnant and repulsive erosion of collective bargaining. For all these reasons it was my honour to second the reasoned amendment and to oppose the bill as it is presently drafted.

**Mr. Sweeney:** Mr. Speaker, members of both opposition parties, both now and back on Jan. 15, have given many of the arguments. I don't intend to repeat them. However, there are a couple of points I would like to exchange with the minister at this time because I think they are fundamental. They have been touched on but perhaps I can put them in a slightly different context.

The first one is: How many times do we have to go through it and when are we going to learn? If I may repeat something that was said on Jan. 15:

We are studying a precedent at this point in time knowing full well that very shortly, in other places in this province, we may have to deal with similar situations. We know right now, for example, that in Kirkland Lake a strike vote has already been taken and, further, a lot of damage has already been done but, surely, the time has come to put an end to it.

**Mr. Bain:** They've been out on strike since January.



**Mr. Sweeney:** To continue:

It is going to take a long time to retrieve that damage but we cannot let it go on any longer and we must do whatever possible to retrieve it.

Finally, the longer we let this drag out the deeper and more intransigent it is going to become. The sooner we can retrieve it, the sooner it can be resolved, the sooner we can return to some kind of normalcy.

**Mr. Laughren:** Who said that?

**Mr. Lewis:** Who said that?

**Mr. Bain:** Who said it?

**Mr. Sweeney:** I would also like to remind the minister that on Jan. 15 he, in his remarks, made this observation towards the end: "This strike has emphasized, if it needed emphasizing, that there are seldom winners in a dispute of this kind."

**Mr. Lewis:** Who is he quoting from? Himself? He quoted himself in the Legislature. Come on!

**Mr. Mancini:** To make sure it is on the record.

**Mr. S. Smith:** He is entitled to quote from a previous address.

**Mr. Sweeney:** Mr. Speaker, the point that I would try to make is that we cannot afford to go on doing this time after time. It was understandable that in the first strike perhaps there was some justification for going on for 38 days. We were all in a learning process at that time: The board, the teachers, the Education Relations Commission and this Legislature. Surely, we must have learned something from that?

As a matter of fact, this particular strike that we are now dealing with began three days before we brought in the former legislation. Why was it necessary to let this one drag out for 44 days?

The minister pointed out that each case is different; each case must be judged on its own merits. Surely, in this particular case, we could appreciate the fact that a smaller northern community did not have the local environmental resources to support a strike even as long as the Toronto one. It did not have the alternative educational opportunities for the students. It didn't have the alternative work opportunities for the students. If anything, surely, this one needed to be ended sooner. Surely, we didn't have to go through the same old ground over and over again?

How, I ask, are the members of this Legislature supposed to explain to the parents

and the students of this province that we can justify a group of students taking out in excess of 40 school days—40 instruction days; the equivalent of two months of the school year—and that it is not going to hurt their programme? It has to go on that long before we say that their programme is in jeopardy.

Surely, there has to be something drastically wrong with the programming of the secondary schools in this province if we can take 20 per cent of it out before we say it has any impact on those students. How long do we have to go on? How many times do we have to repeat the process by which we allow the morale of teachers to degenerate and degenerate? Are we going to allow the same thing to happen in Kirkland Lake as happened in Toronto? We see the continuation of that depression, that bitterness, that lowness of morale still in the schools of this city. Are we going to let it happen again in Kent and Sault Ste. Marie and the other places? Mr. Speaker, I say, surely if we are responsible legislators, we must learn something from what is happening in this province. Let me speak very briefly of the Education Relations Commission. We really have to ask ourselves if it is working effectively. According to Bill 100, it says that "the powers of the commission shall be exercised by resolution and the commission may pass resolutions," etc. In other words, the commission itself is supposed to decide what it is to do. And further on it says: "To advise the Lieutenant Governor in Council when, in the opinion of the commission . . ."

Why is it that that commission is not acting sooner? Why is it not using the powers that it has? Why does it appear it has to wait for a statement or a request from the minister of this government to say, "I think you should go in now and check up on it"? Why does it have to wait for 38, 39, 40 days before that kind of direction is given to it? And even when it is given, when the commission is supposed to go up to Kirkland Lake and meet with the people, why is it that only one member of the commission, in fact, does go? Surely that commission is not doing its job.

Let me make one other observation. In Bill 100 a strike is defined as including any action "that is designed to curtail, restrict, limit or interfere with the operation of the school programme, including work to rule. My colleague earlier this afternoon mentioned that in his jurisdiction a school board has had a work to rule in effect for 93 days—and the Education Relations Commission has not even looked into it. That school board is now locked out, as far as we know.

**Hon. Mr. Wells:** That is not correct.

**Mr. Sweeney:** I stand corrected, Mr. Minister, if you have different information.

**Mr. Nixon:** They have looked into it and done nothing.

**Hon. Mr. Wells:** Well, I just have to tell my friend, Mr. Speaker, that in the context of what they looked for—that is, the pupils' programme being in jeopardy and the context being the academic programmes—they are not and have not been in jeopardy in that particular case.

**Mr. Sweeney:** We have had phone calls from the parents of these children who say that, in their opinion, the programme is in jeopardy. Should that not be taken into consideration?

**Hon. Mr. Wells:** In the Kent county situation, I would be happy for you to send those over to me. But I am talking about the academic programmes, the gaining of credits; if those programmes are in jeopardy because of the situation—

**Mr. Shore:** How do you know?

**Mr. Sweeney:** It is the opinion of the parents that those programmes are in jeopard-

dy. The only point I am trying to make is that in our opinion in that case, and in these two particular cases where we have a strike, where we have had to introduce a bill, it would not appear as if the commission is doing the task assigned to it by Bill 100. We don't seem to be learning from the experience.

**Mr. Speaker,** the critical point right now is to examine once again how many times are we going to allow this to go on. How many days does it take? How often do we have to be faced with this before we move in quickly and accurately without abrogating the jurisdiction of the boards or the teachers in this matter? We cannot repeat it.

**Mr. Laughren:** Good question.

**Mr. Speaker:** Perhaps before the next speaker gets started, I might recognize the clock.

**Mr. Lewis:** The member from Nickel Belt has the floor?

**Mr. Laughren:** I was about to move the adjournment of the debate, Mr. Speaker.

The House recessed at 6 p.m.



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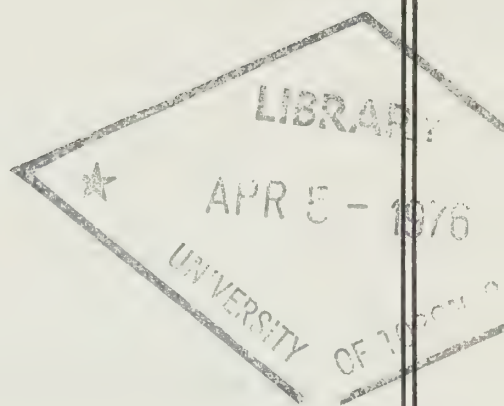
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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Thursday, March 11, 1976

Evening Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

THURSDAY, MARCH 11, 1976

The House resumed at 8 o'clock p.m.

## KIRKLAND LAKE BOARD OF EDUCATION AND TEACHERS' DISPUTE ACT (continued)

**Mr. Speaker:** When we rose at 6 o'clock the member for Nickel Belt was about to make his contribution.

**Mr. Laughren:** Thank you, Mr. Speaker. I listened with considerable interest to the previous speakers, both from this party and from the Liberal Party, because I was interested in knowing what they would say that would differ from what they had said in January when the Metropolitan Toronto teachers were legislated back to work.

I don't know about you, Mr. Speaker, but I certainly have a sense of déjà vu standing here tonight; and I'm wondering—

**Hon. Mr. Wells:** That was used an hour ago.

**Mr. Laughren:** Yes, well I have it too.

**Mr. Foulds:** Even more true now.

**Mr. Laughren:** Even more true now.

Mr. Speaker, I wonder if the minister has thought about what it means when you allow one group of one school system to be shut down for—what was it? 38 days in Toronto—and you now have gone slightly over 40 days at Kirkland Lake. What that means is that it is setting a kind of benchmark for other disputes in Ontario if they result in a strike. It seems to me that the minister and his government are painting themselves into a corner; because how do you then say to any school board, or any group of teachers any place in Ontario, that we are not going to let your strike go on as long and we are going to let this strike continue beyond those number of days? I don't know how you are going to do that. Once you have served notice that there are so many days' limit to each strike, then surely there goes the whole spirit of Bill 100 and the right of teachers to bargain collectively and to go on strike if they feel they must.

So, here we are again, despite the assurances of the minister that compulsory arbitration does not encourage strikes and does not predetermine the length of those strikes. I really wonder if the minister is prepared to deal with the fact that there must be, or there is a better way to resolve these disputes than legislating teachers back to work.

I think it should not be overlooked that teachers are professionals; they are well educated. They are traditionally moderate, both socially and politically. What is it that has forced these people or made this group of people in our society move from this traditionally small "c" conservative behaviour to shutting down our school system?

I wonder if the minister has really thought that through. Because if we look back over the last 20 or 30 years, surely we can see that teachers 20 or 30 years ago, even relatively speaking, did not have as good wages as they do now; did not have the same fringe benefits; did not have the same working conditions. And yet it is today that the school systems are being shut down. So if working conditions—and I am including fringe benefits and salaries—are better today, then I think it is time we took a good long look at the educational system. I would suggest that any examination of our educational system should examine the attitudes of students in it.

I am particularly concerned about the whole attitude of students in our secondary school system. My own suspicion is that an alienation has developed within the school system and that our traditional educational techniques and programmes are not able to deal with it and that is one of the reasons for that alienation. If I am right, and this alienation is developing, then it makes the job of teaching a very difficult one indeed. Not just difficult, but increasingly difficult; and that bothers me a great deal.

I feel that we, as a Legislature, and in particular the minister and the Ministry of Education, are going to continue to pour water on these little fires all across Ontario rather than attempting to prevent the fire in the first place.

I know the minister could say that what I am saying is fine in theory but that it is a

very complex problem; and I agree with him that it is a very complex problem. But I really feel that we have an educational system that is devoid of any philosophical commitment, which is the strongest condemnation I have of this minister and the ministry. There really is no philosophical commitment.

That means we have an educational system that really exists as an institution, rather than as an agent in a society to improve people's lot in life; to give them more of an incentive as they head out into the world; to make their role in life more meaningful and more productive. I would say to the minister that as an institution our educational system has no equal and that it really is a tribute to the wisdom of Ivan Illich. I know that the minister, or I think he is aware of Ivan Illich's contribution to educational philosophy, and that's what bothers me about the education system in Ontario.

When we legislate teachers back to work, we are not dealing with the underlying problems. We are like a helicopter hovering over the North Atlantic, blasting off the tops of icebergs in order to make shipping more safe. That's not getting at the problems in our educational system.

I am sure there are at least three dimensions to the problem: One is educational, one is financial and the other is the whole process of collective bargaining. I suspect that the minister is only looking at one dimension, namely collective bargaining and how to get the teachers back into the classroom, how to get the schools open and to get the students through their academic year. It's not that simple.

We have a situation whereby teachers are in the public sector, and at the same time they are making these increased demands we have a fiscal crisis in the public sector. Everyone acknowledges that; and certainly this government with the whole constraint package, has made it very clear that it understands that. What do we do?

The minister, I would suggest, is not dealing with the underlying problem. I am not suggesting that the Minister of Education can take a look at our society and say that he, as Minister of Education, can solve this problem. But I wonder if he is talking to his cabinet colleagues and saying to them that there has got to be a better way. He's reeling from one confrontation to another, and in the long run that's not going to solve the problem; it will just extend those confrontations indefinitely into the future. I don't think that's what he wants.

If we are going to have a well-paid, highly educated, satisfied public sector, we have to be prepared to pay them well. And we have to be prepared to make sure that they feel that they are making a useful contribution, that they are not sacrificing a standard of living because they are in the public sector.

If we listened to those groups that we pay to warn us of impending dangers, we wouldn't be so badly off. If we listened to the Economic Council of Canada, we would have known—well, some of us did know—that there was going to be a crisis in the public sector long before it came upon us. But this government just doesn't listen to them.

I know that this minister doesn't feel that he can do very much to create the kind of wealth in our society that would allow us to support a thriving public sector by industrializing the economy. That has nothing to do with this bill, but I would suggest to you, Mr. Speaker, that in the long run that really must be the long-run solution. We are just not going to solve it by treating our educational system as a series of collective bargaining conflicts, and that's how the minister seems to be regarding it.

I would like to speak very briefly about the whole collective bargaining process in our educational system.

I feel that compulsory arbitration never has been and never will be the solution to conflicts, and I think that events are proving this to be correct. We know that the community, the students, the teachers, the school boards, the minister, the legislators—all are concerned about students jeopardizing their academic careers. It really bothers me that a student can spend 12 or 13 years in this educational system in Ontario and have it all jeopardized by a two-month conflict, by being out of school for two months. There is something wrong with that kind of educational system.

As for students who are not graduating, I don't understand why two academic years couldn't be regarded as one time frame for purposes of learning a set body of knowledge—

**Mr. Nixon:** Why not 13?

**Mr. Laughren:** Pardon?

**Mr. Nixon:** Why not 13 academic years at a time?

**Mr. Laughren:** Well exactly. So why is two months such a critical period of time for students who are not graduating?



Now for students who are graduating, I think it says something about the system that the students have spent that length of time in the educational system and now it all hinges on two months. There is something wrong with that kind of educational system. I see no reason why students at lower grade levels couldn't be regarded as having this year and next year to complete a certain amount of work, and that all would be required to be completed by June 30 of this year. Because of a highly quantified educational system, we are required to undermine the collective bargaining process in Ontario. And that's surely not the purpose of the Minister of Education or of this Legislature.

Finally, as long as this Legislature continues to resolve these disputes, such as we are doing now with Kirkland Lake, we will be called upon to do so at an ever increasing rate. That bothers me a great deal.

I deplore the legislation but even more than that I deplore the educational and the fiscal conditions which have brought us to this last resort.

[8:15]

**Mr. Nixon:** I wanted to respond to one or two of the comments made, particularly by the member for Nickel Belt (Mr. Laughren), who I think gave as usual a very reasonable address. The idea that by the passage of this bill, thus assuring that the schools reopen this coming Monday, we are setting some sort of a benchmark in time which would mean that negotiations in the future, and actually those that are still going on, would be in some way hindered, I feel doesn't make much sense when the amendment which he and his party want to support admittedly will open the schools on Monday and remove from the teachers the real weapon which they have been using, and which is recognized in negotiations in this jurisdiction, in a strike. I can't see the strength and value of the amendment which his party is putting forward as retaining that value. For that and many more reasons, we will be constrained not to support it in the consistent approach to this matter that our party is well known for.

It seems to me his idea was that despite the fact that the kids in the school have missed 40 days, or whatever it happens to be—too many days—if we look at a two-year range that's not very much. My interjection that if you look at 13 years it is even less, I hope should not be construed as my support for that concept. As a parent and a teacher, a taxpayer and as a member of this Legislature, I feel that if we members of this House accept

the responsibility given to us under the constitution to see that we have a school system in this province that is going to achieve the goals we set for it—and I hope that we realize it is our responsibility and no one else's—to leave the kids out on the street or wherever they are for 40 instructional days has got to be a severe impediment to their continuing education. I can't agree with the minister who even feels that 40 days is not a serious impediment, nor can I agree with the member for Nickel Belt who feels that it could go on for much longer.

It's true, however, that this bill and the one we were called into session to deal with in January may have to be repeated, and this would be regrettable indeed. I'm not sure who has to learn a lesson, whether it's the members of this House, the members of the teaching profession, the members of boards or the taxpayers in general. Maybe it's all of us. Surely the concepts in Bill 100 are that we, all of us in this House, unanimously support the concept of free and open negotiations. But also all of us must accept the responsibility that finally, in our own judgement—and it has to be subjective—the power of this Legislature has to be brought to bear to end any strike which is deadlocked and which does not show any indication or signs of a solution.

It may very well be that the teachers in Kirkland and the board in Kirkland have looked at the example set by the previous bill that was before us in January and said: "Well, we might as well stay out on strike until the Legislature takes whatever steps it sees fit." In my opinion, that is probably what happened. I believe that the strike in Toronto that was culminated by the action of the Legislature would have gone on almost indefinitely with the sure and certain knowledge that eventually this House would have acted to end it in the interests of the students, the teachers and the community in general.

The fact is that this may have to be repeated. It's now being repeated once and we may have to do it two or three more times. It's extremely regrettable, but I believe each and every case has to be judged subjectively. We, as members, have to make a personal assessment as to whether we, in our opinion, feel that the strike has to be brought to an end; that is that further negotiations would appear to be fruitless and that it is our responsibility to see that the greater good is served.

One of the concerns I have continues to be with the commission, the Education Relations Commission. I was somewhat critical of it in the January circumstances because I sensed



that its members were unwilling to take any particularly strong actions until the minister telegraphed to them that he felt it was time such actions were taken. The Leader of the Opposition (Mr. Lewis), who is just now assuming his seat, made it clear at that time that he personally had a great deal of confidence in the commission; and the minister did as well, since they are personally familiar with the background and the abilities of the commissioners.

I don't want, in any way to question those abilities but it seems to me that the information available to us on the action of the commissioners must make us question their understanding of the situation. The strike in Kirkland Lake has gone on for a longer period of time than the one here in Metro and it wasn't until the minister inquired of them what they thought about it that they said "My God, there is a strike up there. We had better go and see what is going on."

I understand the commission didn't go up in total. The chairman went up and convened some sort of a meeting and found out what the teachers and the board thought. Unlike the situation in Toronto the teachers did not believe that the programme of the students was endangered, but even then the chairman of the commission summoned them to Toronto for a further meeting. Perhaps it is to his credit—I am not at all sure that it is—that he used the occasion of that meeting to attempt one last settlement. I am not sure whether that was his responsibility or not. I somehow doubt that it was, under those circumstances.

My strong feeling, Mr. Speaker, and I know the minister is listening to my strong feeling in this regard, is that once again, for a person who looks at this maybe subjectively and without too much expertise and without a personal knowledge of the chairman or any member of that commission, it appears that they swing into action only when the minister telegraphs to them that somehow they had better do something.

In the case of the Toronto strike, the chairman was here listening to the discussion—perhaps he is now; I don't know the gentleman—but there is a certain carelessness about this. It may be that the chairman and the members of that commission do not consider their responsibilities as important as we see them. I said at that time and others said the same, and I feel it very strongly now, that it is up to the minister to convey the concern expressed in this House. That commission has to upgrade its concerns. Maybe the commissioners are going to have to have much

more active participation in these negotiations and not sit back until there is some sort of public pressure or ministerial pressure—maybe even personal pressure, who knows, because the Leader of the Opposition always likes to take a leading role in these matters. Maybe it's a personal communication that activates, that triggers the action of this commission.

Under the statute the commissioners are self-activating and, in my view, so far that self-activating mechanism has been inadequate. I put that forward as my opinion. I don't know what anybody else thinks but I would suggest to the minister that that's one area in which he had better concern himself because I have the suspicion that this commission was designed in Bill 100 as sort of a safety valve for the minister. He never himself had to say, "I think it's time to end the strike." There was always somebody at a distance—not elected; somebody respected in the community certainly—who would say, "Yes, we now think the government should act"; and, by God, the government then acts.

That's not good enough. I don't believe it's responsible and I want to convey my concern on that matter to the minister, hoping that by legislation or by regulation or even by mutual understanding the situation can be improved.

The negotiations and the lockout intent have already been discussed in this House. The subject was raised by my hon. colleague, the member for Kent-Elgin (Mr. Spence), because, of course, in that area it's a matter of major concern.

One can search even the erudite columns of the Toronto Sun and not see any indication of it at all. One would almost think that the Toronto dailies are the ones in which the decision is made on whether a strike should end or not. Certainly the Toronto Sun would be having banner headlines and having its foremost columnists on the scene writing the sort of material that would tend to activate the commission or the minister. But they never heard of Kent, for God's sake, because their circulation doesn't extend there. I don't blame them; they're in business. But the minister isn't, because his responsibility extends over the whole province and he knows that; he knows that.

**Hon. Mr. Wells:** The Treasurer (Mr. McKeough) keeps me informed about that—daily.

**Mr. Nixon:** Okay. But our position is unchanged from what it was in January. We believe as a party that a time comes when the individual members of this Legislature must



rise and vote to end a strike when it is clear that further negotiations will be fruitless and that people affected by the strike have rights that must then become paramount. So we do not hesitate in supporting the legislation, and I would suggest to the NDP that it is of great concern to many people in this House and in the province that once again they cast their vote in a manner such as would not in fact serve the system in a strong and effective way.

**Mr. Burr:** That's what we are going to do.

**Mr. Laughren:** Changed your position.

**Mr. Nixon:** All right. The hon. member for Windsor-Riverdale says that's just what they're going to do.

**Mr. Burr:** Riverside.

**Mr. Nixon:** Riverside; well, whatever.

**Mr. Bullbrook:** We all have Riverdale on our minds today.

**Mr. Nixon:** Anyway, I believe that this is a mistaken policy of the NDP. They're proud that they have never voted—perhaps on one occasion they did vote—to end a strike; one, yes. I have certainly heard the leader say on many occasions that he feels those people whose usefulness in the community is essential, whose activities in the community are essential for its health and welfare, should not have the right to strike. But it seems to me—

**Mr. Lewis:** Firemen and police, I said.

**Mr. Nixon:** Yes, health and safety.

**Mr. Lewis:** Well, I haven't got to hospital workers, as you have.

**Mr. Nixon:** Anyway, it surely is our responsibility to end a strike, as this bill will end a strike when it is passed into law, when it is our information and valued judgement that further negotiations and delay would not be of value. So we believe the bill should be passed without delay. We hope that the teachers will resume their responsibilities on Monday and that an arbitrator will be able to arrive at a disposition of this situation without as much delay as was the case in the Toronto strike.

**Mr. Bullbrook:** Then you can send it down to Ottawa to see what Jean-Luc Pepin says about it.

**Mr. Wildman:** Mr. Speaker, it is with a rather sad sense of *déjà vu* that I rise to speak in this debate.

**Mr. Bullbrook:** This is truly a bilingual evening.

**Mr. Wildman:** We seem to have gone through all of this once before and we probably unfortunately are going to go through it again. In January, the government introduced back-to-work legislation with compulsory arbitration; and now again in March we're doing it again. After 37 days, the Toronto teachers right to free collective bargaining was abrogated; and now after 44 days Kirkland Lake teachers face the same abrogation of their rights—the rights that were established by this Legislature not a year ago.

The government maintained that in the previous situation the legislation did not set a precedent; and now the minister I believe maintains the same opinion that this legislation does not set a precedent. What I'm concerned about is that we're going to face a long series of so-called non-precedents—that is, how long will it be before the government orders compulsory arbitration in other teacher disputes which are now in process across the province?

In my particular area there are two disputes which are of long standing and it appears that there may be the same situation there as we have now facing us in the Kirkland Lake dispute. In central Algoma the teachers are on strike and that strike now goes into a fourth week. In Kirkland Lake, the teachers have been on strike for something like eight weeks. The ERC has decided that the Kirkland Lake situation is serious enough that it has recommended to the ministry that the teachers there be ordered back to work.

[8:30]

As a matter of fact, Mr. Speaker, if I may digress for a moment, it is interesting that in the central Algoma situation, although they have only been out four weeks it is probably very similar to the length of time that the Kirkland Lake teachers have been out since they are under a semester system and every day under a semester system is worth two days under the full year system of education. I wonder how long it is going to be before we face this same legislation in the central Algoma dispute.

But the minister maintains that this is not a precedent. In the dispute in central Algoma the ERC is carrying out a mediation effort and we sincerely hope it will be successful, but if it isn't does the minister anticipate introduction of this type of legislation in that dispute? If he does—

**Mr. Speaker:** I'd like to remind the hon. member that this bill deals specifically with the Kirkland Lake dispute.

**Mr. Wildman:** Yes, certainly, Mr. Speaker. My concern is does this set a precedent for these other disputes? The minister says "no."

**Mr. Ferrier:** He has already set a precedent.

**Mr. Wildman:** There are many other situations like this. It's a very serious situation. In Sault Ste. Marie, the teachers have been working to rule and have rotating strikes and the schools may be closed down there completely in the near future.

**Mr. Speaker:** That is not a part of this bill, I'd like to remind the hon. member.

**Mr. Wildman:** Again, does this Kirkland Lake situation affect it? I think it does.

Can the minister maintain to this House that this bill regarding the Kirkland Lake dispute and the previous one regarding the Metro dispute, which imposed compulsory arbitration, does not affect other education disputes or other disputes in the public service? I think they are indeed precedents and I think they are related.

Boards and teachers are being shown by this type of legislation that there's no reason to bargain to gain settlements. They can remain adamant because they know that eventually the ERC will come along and say, "This situation is very serious" and recommend to the ministry that arbitration be imposed.

This has very serious effects on the whole collective bargaining process and it's certainly not what was intended by Bill 100. For that reason, I am very concerned about the future of the whole education system in this province and what effect this legislation has on it.

I would hope that the members opposite would see the error of their ways in opposing this kind of legislation but not voting against it, and would support the reasoned amendment introduced by this caucus and the opposition members here on this side of the House.

**Mr. Speaker:** Does any other member wish to participate in this debate? The hon. member for Sudbury.

**Mr. Germa:** Mr. Speaker, I have been sitting here for quite a few hours this afternoon listening to this debate. If one were to doze off and forget where he is one could almost think he was watching an old rerun

movie at 1 o'clock in the morning on television. We have the same actors in place. We have the same minister introducing the same kind of legislation. We have the same group on our left in support of the minister; some of them with unreserved glee supporting this strike-breaking legislation which we have before us here this evening.

**Mr. Norton:** And the other side saying the same thing.

**Mr. Wildman:** Déjà vu.

**Mr. Germa:** There is no doubt in my mind that this government, through its past practices and the ease with which it has got away with these acts of violence toward working class people in the past, has been motivated, at the slightest provocation to continue to introduce the strike-breaking legislation. It is legislation which makes it compulsory for people to go to work or go to jail, or to go to work at a wage rate which they themselves have rejected. I would suggest that if the minister's wages were subjected to that sort of procedure, he himself would not want to go back to work at the wages that the public would see fit to pay him. And yet he sees fit to impose his will upon the group of people who do not want to work at the wage rate under the conditions that they have presently before them.

I charge it up to the inexperience of this minister. I am sure he doesn't even understand how a person gets on a picket line. I am sure he doesn't understand; I am sure he has never been through the procedure.

I can speak with considerable experience as far as getting on picket lines is concerned, because I have been on picket lines against major adversaries at least six times in my working career. And the only time I ever went on a picket line was when I myself had voted to put myself on the picket line.

This is exactly how the school teachers in Kirkland Lake got on the picket line. They were not manipulated by some mysterious force of union goons or whatever you might think they are. They voted in a democratic process to reject the wage offer and working conditions and they voted to put themselves outside of the workplace on the picket line. By that same method, Mr. Speaker, those workers can vote to put themselves back at their place of work.

This is the simple fact of life as it relates to people being on strike. They do not need the minister's wisdom. They do not need him to tell them when to go back to work. In fact, I consider it to be an infringement on



their liberty as a right to participate in the workplace or not.

I am surprised at the Liberal Party, despite the statement from the member for Brant-Oxford-Norfolk (Mr. Nixon) that on each individual case—I think it's six cases now since I have been in this House that this government has forced people back to work—he tries to tell us that on six individual cases he considered all the facts before him and in each case he saw fit to vote for compulsory back-to-work strike-breaking legislation. It seems to me that he hasn't given these different bills proper consideration because in no circumstances could he have come to the conclusion that the elevator construction workers were going to ruin the economy of the country, were going to ruin the health of the Province of Ontario or were going to hurt anybody except the people who were on the picket line. And yet they chose to support that kind of legislation.

It's within their bones. They are part of the establishment system that this government is representing here tonight. The longer we stand here the more we find out about people's attitudes and I would like to quote, Mr. Speaker, from page 100 of Hansard of Jan. 15, 1976, the evening edition, wherein the member for Armourdale (Mr. Givens) was speaking: "It indicated to me that they were ill-informed and that they behaved like boors and like working slobs and they wanted to be just like any other group."

That was the attitude of the member for Armourdale and that is the attitude that prevails in that caucus to my left. These people are anti-labour, as is the government. They have no compassion whatsoever for people who have to work for a wage because they have never had to themselves.

It is true that this strike has continued for 44 days. So what? Have we not had strikes longer than that in various other sectors of the economy? I have seen strikes go on for five and 10 years and yet the world still goes around. It is also evident to me that Bill 100, which the minister brought in kicking and screaming less than one year ago has not been functioning on at least these two occasions. I would suggest that he had better take a closer look at what is contained in Bill 100 and try to understand that these people who are on strike are on strike voluntarily and they had a perfect right to go there.

The legislation granting them this right is not a gift from this government. We know that it was forced upon them because of the discontent in the teaching profession. They just couldn't put up with the situation any

longer and they had to organize themselves into a group because individual workers in this society just do not have the power to correct some of the evils which exist.

The system used to work for the establishment, of course; when workers of all sorts tried to negotiate on an individual basis they had no power, and the system used to work then. But since that day the people learned that by organizing together, they could therefore exert the multiplied power of the association.

I will admit that there has been torment in society. It is a restructuring of society that we're facing; it's more than just a simple strike in Kirkland Lake we are talking about. We are talking about people who work for wages demanding their fair share out of the economy.

This government, of course, subscribes to the status quo; it wants no one to make any forward progress in society except itself, and it is going to legislate people back into their places whenever it is necessary. I don't know why they haven't learned a lesson. The election of last September should have taught them they were alienating people almost every six months by doing this kind of legislation; and yet here they are, continuing to alienate one group after the other. You cannot with impunity continue to alienate people and still maintain power. Of course, it might eventually lead to the betterment of Ontario when this government has finally alienated enough people and they are no longer sitting on that side of the House.

**Mr. Speaker:** There are too many conversations going on in the chamber. Will you keep it down, please?

**Mr. Germa:** There is nothing in this bill that I could commend. I'm opposed to compulsory back-to-work legislation—

**Mr. Nixon:** Are you going to vote for the amendment? Your amendment puts them back to work.

**Mr. Germa:** Even despite what my leader might have said, that on a certain occasion he might support back-to-work legislation for police and fire services, I myself have not come to that conclusion.

**Mr. Nixon:** Your amendment puts them back to work on Monday. How can you have it both ways?

**Mr. Germa:** I've been around this world probably longer than the minister, and I have yet to witness a situation whereby I would

vote for back-to-work legislation. I have yet to see that kind of an emergency.

**Mr. Nixon:** Your amendment is a back-to-work law.

**Mr. Norton:** You are so beautifully and consistently inconsistent that it's unbelievable.

**Mr. Germa:** This socialist party has not been in power yet in Ontario; we cannot be answerable for the sins of some other socialist party in some other mysterious place in the world.

**Mr. Norton:** What about the difference between you and Alberta on the oil prices? Don't you agree with Alberta on the oil prices?

**Mr. Makarchuk:** If you want to compare, try yourself with something in Chile.

**Mr. Norton:** We don't have to compare. We have our own reputation to stand on.

**Hon. Mr. Wells:** I must say it didn't do Dave Barrett much good.

**Mr. Germa:** I'm not here to answer for the government of British Columbia.

**Mr. Makarchuk:** How would you like to compare with Chile?

**Mr. Foulds:** Tell us about Chile.

**Mr. Norton:** I'd like to hear what you have to say about the students. Let's forget about the picket lines for a moment and talk about the students.

**Mr. Germa:** Mr. Speaker, I am also incensed about compulsory arbitration because unless everybody in society is subjected to compulsion of wages then no one should be. We have many groups, such as the group sitting right in this chamber tonight, whose wages are not subject to public arbitration and public scrutiny.

**Mr. Foulds:** It's the arbitrary decision of the Premier (Mr. Davis).

**Hon. Mr. Wells:** They are also frozen.

**Mr. Germa:** They are frozen at a very high level, you will admit.

**Mr. Ferrier:** They are cut back, though.

**Mr. Bullbrook:** Are you getting something we don't know about?

**Mr. Ferrier:** He was the one who didn't want that five per cent cutback, remember?

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Germa:** There is another thing I am concerned about, Mr. Speaker. I consider the government's attitude, as enunciated in Bill 2. Then I look at the Speech from the Throne on page 5, wherein it says:

The Ministry of Labour will intensify its examination of the collective bargaining process with the aim of recommending substantive changes to reduce the incidence of industrial conflict.

[8:45]

That puts a quiver up my spine when I see this government with this attitude putting a vague statement like that in the Speech from the Throne. I just wonder what this Minister of Labour (B. Stephenson) has in mind to reduce industrial conflict in the private sector? Is she thinking also along the lines of the Minister of Education to bring in more compulsion in the industrial sector?

We have to consider and watch very closely what this government has up its sleeve. I have no option except to vote against this legislation.

**Mr. Ferrier:** I want to engage in this debate for a few moments. I have been watching the goings-on in Kirkland Lake with some real interest and have been following it through the TV media in my own area.

**Hon. Mr. Henderson:** It could defeat you; be very careful.

**Mr. Ferrier:** I noticed that on the first days the teachers were walking the picket line it was very many degrees below zero Fahrenheit, in the 30s and 40s, I believe. Yet these teachers were out there because they believed in what they were doing and they felt very deeply aggrieved, and I think they had some real justification for it.

I noticed that when the government decided they were going to intervene in the Toronto situation the situation went about 39 days. It has now gone 44 in the north and will be 45. Despite what the minister says, we know the government cares less about us in northern Ontario and pays less attention to our whole area of concern up there. We see it every day; we live with it. No matter how government members stand up in this House and talk to the contrary, they are hollow words as far as we are concerned.

I think that when students are out of school this length of time there is reason for concern. Reluctantly, I suppose we have to see



legislation that perhaps legislates them back, although I find that this compulsory arbitration is a very unpalatable solution to strikes in any kind of sector. We saw the Minister of Labour, Fern Guindon, when he occupied that chair, say it was one of the hardest things he ever had to do to order the elevator workers back to work and he hoped it would not happen again. Then we saw the York teachers ordered back and the TTC here in Toronto ordered back. It has become easier and easier and easier for this government to step in and force people back with compulsory arbitration as the solution to the walk-outs.

As to talk about precedents being set, they are set all the time and we will see this more and more often. Where it was hard for the then Minister of Labour, Fern Guindon, back around 1972 or 1971, it is very easy now and it is almost a matter of course with the government across the way.

I read an article in the *Globe and Mail* this morning and I note this one paragraph attributed to the chairman of the Kirkland Lake board: "Mr. Archer said trustees have been willing to submit the dispute to binding arbitration since last September." So they have been waiting for the government to bail them out and to make their decision for them.

I get increasingly annoyed at politicians in northern Ontario or wherever it might be who get elected to public office, accept certain responsibilities, agree to carry them out and then come out with a statement like that, that they want somebody else to make the decisions for them. What's local autonomy all about if it isn't that we can develop leadership in our own communities and develop a group of intelligent, responsible people who are prepared to make tough decisions, perhaps unpopular decisions at times, but at least are prepared to make those decisions and go to the electorate with them in two years' time to justify their actions and to let the electorate decide on them? But here we have here a board which opted out of its responsibilities, I suggest, away back in September, knowing pretty well that grand-daddy down here at Queen's Park was going to bail it out and I think that's deplorable.

I really find that repugnant and I think that sometimes our politicians in northern Ontario sell us out when they are not prepared to make the decisions back home where they should be made and to stand by those decisions. They make it a lot easier for the government to wield the big axe and to play the "Big Brother" role down here in Queen's Park when they act like that. We have seen it in health care, where the decisions have

been made here without consultation at home, and we see it in planning decisions, where they say, "Well, we won't make the decision. Pass it to the OMB and let them make it for us."

I think this kind of legislation makes it far too easy for those kinds of politicians to act in that way and abdicate the responsibility that is given to them under the Acts of this Legislature to fulfil their responsibilities as committed to them by the electorate when they run for office. I notice, too, that these people in Kirkland Lake, according to what my colleague here, the member for Timiskaming (Mr. Bain), has said, have hired a professional negotiator to carry out the negotiations, again trying to act like pros, I suppose, and lay a heavy hand. Perhaps they are so insecure in their position that they can't argue it out and come to an agreement like other boards do.

I believe that given the right frame of mind and the willingness to negotiate we could have had this situation settled a long time ago. I don't blame the teachers in Kirkland Lake. The teachers in Timmins, Kapuskasing, Nipissing, and probably the Cochrane-Iroquois Falls board, are all away up. Kirkland Lake wants to catch up and that's legitimate.

But one of the things that has sort of crossed the trail and to a significant degree has destroyed collective bargaining, whether it is for teachers or paperworkers or any kind of workers, is this Anti-Inflation Board legislation brought in by the Liberals in Ottawa. It is a dimension that has been injected into labour relations that has fouled up and has prolonged a good many labour disputes and has brought a lot of bitterness in its trail. No doubt this is another reason why this strike has gone on.

I believe that collective bargaining can and should resolve this kind of a dispute, and that's why I strongly support the amendment as put forward by my colleague from Timiskaming. By going to compulsory arbitration, we are putting the responsibility on somebody to decide for the two parties what it should be and I don't think we should be making it that easy. I think they should sit down there and they should work it out themselves and come to an agreement that they both can live with and justify to their own constituencies.

As my colleague said, the educational process must go on on Monday and it should go on in a fairly good educational environment, but I am not so sure that with the action we are taking here today we are making the environment as conducive to learning as one would expect and one should hope for.



I think we're all concerned about the students. It has gone on a long time, and 45 days out of the classroom for some students who will be going on to post-secondary education could put them at a disadvantage, if it went on indefinitely. The students at Kirkland Lake, I suppose, have that right to get back into the classroom, and reluctantly we can at least agree to the teachers going back, but not imposing compulsory arbitration. The amendment says the two parties have to work it out.

I can't say that this is *déjà vu* for me because I wasn't here when you ordered Toronto teachers and students back, but I have to agree wholeheartedly with the reasoned amendment of my colleague and to say that I hope those teachers in Kirkland Lake at least get parity with what's going on in the other parts of northeastern Ontario.

The education commission there felt on Saturday that it could still knock heads together. I think if there was enough give and take that it still could have been settled that way. With this kind of thing always in the background to rescue a group that is unwilling to make up its own mind and to stand by a decision, it just makes it easier and easier.

The only position that I'm prepared to espouse is that of my colleague, the member for Timiskaming (Mr. Bain) who, in my opinion, has played a very creative and constructive role in this whole dispute and deserves to be commended for it.

**Mr. Samis:** At this stage of the ball game, my colleague from Algoma—

**Mr. Lewis:** Of the what?

**Mr. Samis:** Ball game. What would you think I'd say? I thought the heckling came from the other side.

**Mr. Lewis:** You ain't seen nothing yet. What has a ball game got to do with this?

**Mr. Samis:** Okay, we won't talk about it. May I suggest that my colleague from Algoma (Mr. Wildman) has talked about *déjà vu*. I would add, coming from eastern Ontario, it's not only *déjà vu*, its *déjà entendu* et *déjà écrit*, de nouveau, de nouveau and *déjà vu* as well.

Let me just make a few brief comments. I think in all reasonableness I can understand the pressures, political and social, being put upon the minister to resolve this dispute. I think those of us in the opposition do appreciate that. I think what we're really disputing is how this executive power is being

used. We're not disputing that something has to be done in some way, shape or form.

The thing I would like the minister to comment upon when he does make his reply is that my colleague from Timiskaming (Mr. Bain) has made a reasoned amendment. It does meet the problem and the pressures upon the minister of getting the kids back in the school—the students, that the member for Kingston and the Islands (Mr. Norton) was referring to, continuing their education. It does satisfy the demands of the parents, it does get the educational system in Kirkland Lake moving again. What my colleague has suggested does satisfy those problems and those pressures.

I would like the minister to comment on why that particular solution that he is proposing, supported by our particular party, is unacceptable to him, why it isn't reasonable, why it doesn't come to terms with the basic problem, even if we leave all the somewhat, sometimes doctrinaire talk about collective bargaining aside. I would like to hear the minister give us some concrete reasons why that particular solution is unacceptable to him, unacceptable to the various parties in Kirkland Lake and why he feels that wouldn't solve the problem. I find the solution the minister is proposing is a very total—I won't say totalitarian, but total—solution to the problem.

[9:00]

If you put that in the context of the anti-inflation guidelines, this is pretty restrictive control over the whole collective bargaining process. We have the federal government virtually emasculating, if not destroying, collective bargaining for the next two to three years; and the paperworkers of this province know that full well. The teachers will have to contend with that regardless of the settlement, as they do here in Toronto. So in effect, by this total solution without a compromise, the minister is imposing a double whammy on the teachers of Kirkland Lake.

My only request, Mr. Speaker, is that in his final remarks I would ask the minister to address himself to the compromise suggested, and not just say we are playing politics or posturing for political gain. I would ask that he address himself to the argument contained in that reasoned amendment.

**Mr. Speaker:** Does any other member wish to get involved in this debate?

**Mr. Lewis:** Just for a moment.

**Mr. Speaker:** The hon. member for Scarborough West.



**Mr. Lewis:** Mr. Speaker, I want to follow my colleague from Stormont, whom I think—

**Mr. Samis:** Cornwall.

**Mr. Lewis:** I am sorry, Cornwall—whom I think made some useful final observations about requiring or asking the minister to respond directly to the reasoned amendment. Mr. Speaker, this bill is in its own way a pretty ominous piece of legislation. It's ominous, I think, on two fronts.

Number one, it is the second piece of legislation of its kind in a very short period of time, and maybe the precursor of yet two or three other similar pieces of legislation. If in fact we are faced in a period of three or four months, as is entirely possible, with four or five pieces of legislation, all of them requiring compulsory arbitration when ordering the teachers back to work, then the many voices now calling for an elimination of the right to strike will rise to a powerful and almost irresistible crescendo. That is the groundwork which the government, consciously or unconsciously, is laying.

If we—well then, it is unconscious, it is not deliberate. But whether the minister realizes it or not, if we have a succession of compulsory arbitration return-to-work situations for the teachers, with Toronto and Kirkland Lake and then Kent, and then God knows what else, one after the other over a few months, we are inviting those people everywhere who would wish to eliminate the right to strike, to express a case that will be difficult for this government in this present atmosphere to resist. And that request will come as readily from members within the Legislature as from people outside; and I don't think, and my colleagues don't think, that that's useful for the collective process.

**Mr. Laughren:** Subversive.

**Mr. Lewis:** There is another ominous portent to the bill. That is that if we begin to enshrine, in every piece of legislation we introduce, that same solution—namely that of compulsory arbitration when ordering teachers back to work—we will provide for the teachers a degree of resentment and hostility, cumulative over time, which is counter-productive, which is not good for the learning process, which just sets up an atmosphere of unhappiness and hostility within the school system. In both senses, then, this second bill, standing as an omen of what might occur, should be viewed I think in a way which is rather more reasonable.

My colleague from Timiskaming and my colleague from Port Arthur have put to the minister the realities of the negotiations, and some of their qualms about the Education Relations Commission. I happen to feel a very great personal friendship and regard for the chairman of the ERC, as the minister knows, but I too am beginning to have some qualms about the definition of the Education Relations Commission and the extent to which they are encouraged to get things going or to draw things to a close.

I guess what we are trying to say on this side to the minister—and obviously without any great effect and none of us have any illusion about it—is that there has to be a more creative way to respond to these teachers' strikes or board lockouts than the traditional compulsory arbitration route; and that the succession of compulsory arbitration bills will result in a polarization in Ontario, either outside the school system or inside the school system, which is ultimately destructive. We're not saying, "Don't return the teachers to work." We understand that schools have to be reopened. We're not saying, "Don't accept the advice of the ERC." We understand the advice is offered in good faith.

We're saying: At this moment in time, when everybody in the country is looking at alternative means of settling labour conflicts, when the government itself has a paragraph in the Throne Speech about alternative means of settling labour conflicts, don't tie the government to one route and one route exclusively and don't do it so dogmatically and arbitrarily so early in the game.

There is something, I think, both creative and beneficial in saying, "The schools must open. You must return to work; the kids have to have the education. Now listen, you two—grow up, both sides, and bargain in good faith, having returned to school."

I want to say to the minister, in good faith, that I think the catharsis of that kind of legislation and the invitation to both sides to function rather differently may have a quite remarkable effect. It's certainly worth his doing or trying. He has absolutely nothing to lose. The schools are open; the teachers are back; the kids are learning.

Maybe they would reach a negotiated settlement having established, as has been offered, a floor for payment which doesn't exceed the board's last offer — no taxpayers should be angered or irritated by a floor for payment which keeps the teachers feeling as though they're being treated like civilized human beings. I really think it's worth thinking about.



The crazy relationships in the Legislature—the way this place functions sometimes and the way we're forced to deal with reasoned amendments—means that in order to support our view, we have to oppose the government and I understand the hazards in that. All of us understand the hazards that that is interpreted as voting against the schools being open but let's put that falderal aside for a moment. Those who want to wage that war on the hustings are welcome to it.

What we're putting to the House now as we've put before—and we were excoriated for it in January—we thought it through yet again and I think it continues to be an intelligent and thoughtful way of approaching an alternative solution: Open the schools; give them a basic payment and get them back to the bargaining table.

The minister knows as well as I that in this case the groups were so close together, they were separated by a hair. What was it? Twelve thousand dollars in total in the first year. That was the divide—\$12,000 in total in the first year. I want to say that that kind of minuscule separation in positions merits a more creative solution than compulsory arbitration, the thing we've always fallen back upon. That's what we're putting to the House.

I want the minister to know it is in good faith. He may reject it but my suspicion is that a few months down the road, after we've gone through this exercise another three or four times and everybody is clamouring to remove the right to strike or the teachers are gritting their teeth about the imposition of arbitration, we will regret that we didn't at least try something else that achieves the same end rather more thoughtfully.

Therefore, the reasoned amendment; therefore, the position of the vote. Let me add a footnote to that which I think, Mr. Speaker, underlines the New Democratic case. The need for a different kind of solution is reinforced by the absurdity of the present process.

I don't know how much we paid His Honour Charles Dubin. I have as much respect for him as most but that arbitration process was ludicrous from the outset. One didn't have to be a Solomon to predict that His Honour would effect a settlement somewhere near one or the other of the board offers.

What did we achieve in all those weeks, because the settlement isn't worth the paper it's written on until it goes before the Anti-

Inflation Board anyway? It took time; it raised tempers; it cost public money and to what end? As long as we have to work within the confines of what those of us on this side regard as unfair and unworkable anti-inflation guidelines, then let us at least try to do it in an atmosphere of labour relations which isn't quite so combative, quite so adversary, as compulsory arbitration invariably makes everyone feel, so why not try a different approach? It, too, will have to go to the Anti-Inflation Board, obviously, if there's a settlement; but on the other hand it removes the adversary component. The parties could possibly agree. The minister always retains the right to impose a settlement later if this continued negotiation doesn't work. That's always the ace he has in his hand. Why not give to both parties the kind of catharsis which could lead to a more intelligent use of labour relations, not cost the public any more, not have this endless array of arbitration and, at the same time, achieve the object the minister has in mind? I guess what I'm trying to put to him—in an atmosphere which is much less charged, much less intense and much less sulphuric than the Metro teachers' strike, which involved so many people—what I'm trying to suggest is I really don't think, and my colleagues don't think, that there should be one dogmatic solution. We accept the need for the return to work. We'd like the minister to try, once that has been achieved, for a different approach for teachers and boards throughout the province.

**Mr. Speaker:** The hon. member for Rainy River.

**Mr. Reid:** Mr. Speaker, I want to make a very few remarks on this debate. I had originally intended to say a few words on the Toronto board-teacher dispute, particularly after I had listened to the perambulations of the leader of the New Democratic Party. I must say, for the first time in almost nine years, at that time I really felt sorry for the leader of the NDP for the kind of contortions he had to go through to justify the socialist position.

**Mr. Renwick:** Don't bother to feel sorry.

**Mr. Lewis:** Oh, on a point of personal privilege, as I walked by the bench of the member for Rainy River after that debate he turned to me and said, sotto voce: "Now you know what it's like to be a Liberal."

**Mr. Reid:** Mr. Speaker, previous to the election and to a number of the people who came in, I'm sure that the leader of the



NDP would not have had quite as much of a problem rationalizing the position at that time had as he has tried before.

**Mr. Lewis:** Oh, I feel comfortable in that position.

**Mr. Reid:** I join with him, and I'm sure we do on all sides of the House, in believing that there has to be a better way than this kind of strike confrontation situation. I must say probably the essential difference between this party, and even the party across, and the NDP, is that we don't get the great delight out of the kind of confrontation and problems that arise from these things, nor do we try to get the kind of political partisanship out of them.

The leader of the NDP, the member for Cornwall (Mr. Samis) and the other members can say what they want, the essential point of this debate is whether or not those students are taught in the classroom tomorrow or the next day or whenever this bill goes into effect.

**Mr. Bain:** On Monday.

**Mr. Reid:** That's the principle of the bill, that's what we're here to decide. None of the posturing of these friends of mine to my right, the socialist party, can get away from the essential fact that enough is enough, that those children's education is in peril.

**Mr. Lewis:** The ultimate slur.

**Mr. Reid:** That's what the situation is.

**An hon. member:** Crocodile tears. Sanctimonious pap.

**Mr. Reid:** We can go through reasoned amendments; we can go on all night. We can twist and turn. We can say we uphold the right to strike, which I'm sure we all agree with essentially, but there comes a point when responsible people have to take a responsible position and we have to look at the good of the community and the people most directly involved. That time has come. I'm going to tell you my friends, including those who are barracking behind me, that in the Province of Ontario they will not be the government for the very reason that they cannot get away from the ideological strait-jacket that they find themselves in, where they say: "Freedom, yes; obligation and responsibility, no." They can't do that in this kind of society and the people of Ontario will respond to that.

**Mr. Makarchuk:** Keep it up. You've got the freaks on your side.

**Mr. Warner:** Keep it up.

**Mr. Speaker:** Order, please.

[9:15]

**Mr. Reid:** A funny thing, Mr. Speaker, I never missed the member for Brantford for the four years he wasn't here, and he seems to be trying to talk himself out of the Legislature again.

**Mr. Makarchuk:** Don't worry about it.

**Hon. Mr. Bernier:** The member is in trouble.

**Mr. Makarchuk:** Not as much as he is.

**Mr. Foulds:** The minister should speak for himself.

**Mr. Reid:** Mr. Speaker, I too join with those who are somewhat concerned about the Education Relations Commission and the role they have taken.

I made an interjection earlier today that the minister responded to, in which I think my comment was that he waited longer in northern Ontario, in Kirkland Lake, to come to this decision than he did in Toronto. I know it is only a matter of a few days, and perhaps that's not really the problem we are facing. I think the problem we are facing is that the commission is obviously not doing its job. I, along with many people in this House, at one time in an earlier emanation was a teacher. Perhaps some of us should have stayed there. At the rate things are going we would be much better paid.

**Mr. Foulds:** Speak for yourself.

**Mr. Reid:** However, I cannot recall, in my limited experience as a teacher, that the children or the students could afford to miss the kind of teaching days they're missing. I think that one of the things that should happen—and surely from the experience in the last two months—is that the Education Relations Commission should take a much more aggressive stance in these matters.

We are playing with human lives. We are playing with the futures of people. I don't think that we can afford the kind of postures that we see evidenced tonight by the NDP, or even by the kind of postures that the Education Relations Commission has taken in the last few months.

Interjection.

**Mr. Speaker:** The hon. minister.

**Hon. Mr. Wells:** Mr. Speaker, I think first I would like to begin by just commenting about the Education Relations Commission. We always seem to get around to this when we have a discussion such as we are having on this bill, and as we had on the bill that we introduced in January. I think it is relevant to this particular debate. As my friend knows, one of the duties of the commission is to advise the government when they think the pupils' programmes are in jeopardy; but the first and foremost duty of the Education Relations Commission is to carry out the duties imposed upon it by this Act and to do those things that are necessary to carry out the purposes of this Act. And the purpose of this Act is the furtherance of harmonious relations between boards and teachers, and that this be fostered through the making of agreements and renewing of agreements in the collective bargaining sense between the boards and their teachers. Now, that is the purpose of this Act and that is the first responsibility of the Education Relations Commission. My friend who just spoke said they should take a more aggressive stance. The former leader of the official opposition said that he was concerned that they hadn't been doing very much. There seems to be a sense in this House that the Education Relations Commission somehow is doing nothing—

**Mr. Reid:** They are waiting too long.

**Hon. Mr. Wells:** —and is sitting around not doing their job.

**Mr. Shore:** Nothing.

**Hon. Mr. Wells:** As I said, their first and foremost job is to see that the purposes of Bill 100 are carried out. Now is there anyone in this House who knows what the Education Relations Commission has done since they were appointed last September?

**Mr. Shore:** Nothing.

**Hon. Mr. Wells:** I don't think there is a person who knows what they have done.

**Mr. Nixon:** You are supposed to speak for them.

**Mr. Reid:** We cannot find out what you are doing over there.

**Mr. Nixon:** Can we have a report from them?

**Hon. Mr. Wells:** All you have to do is ask the chairman. They will produce a report in this House, but all you've got to do is—

**Mr. Nixon:** Then you tell us.

**Hon. Mr. Wells:** All you have to do is pick up the phone and ask the chairman of that commission.

**Mr. Shore:** Have you picked it up?

**Hon. Mr. Wells:** Ask him what the Education Relations Commission has done.

**Mr. Nixon:** Well, we are asking you.

**Mr. Reid:** You are responsible for him. That is what you are responsible for—to stand in your place and tell us.

**Hon. Mr. Wells:** All right. I am very pleased to tell my friend then, because I did tell him during the debate in January—and obviously he paid no attention to it.

**Mr. Nixon:** All right, but you are debating this bill. They didn't even go up there to have a hearing until you phoned them up and said, "What about this strike?"

**Hon. Mr. Wells:** There have been 203 contract negotiations since Bill 100 was passed last summer on July 18.

**Mr. Nixon:** What has that got to do with this bill?

**Hon. Mr. Wells:** The Education Relations Commission has provided assistance in 105 of those collective bargaining disputes.

**Mr. Nixon:** Good for them; it is irrelevant to this bill.

**Hon. Mr. Wells:** They've assigned 97 fact-finders, and there have been 24 mediators assigned. Settlements involving fact-finders occurred in 58 cases after the fact-finders were appointed; 13 settlements were arrived at through a combination of fact-finding and mediators. There was a compulsory arbitration settlement in Metropolitan Toronto; three of the settlements occurred because of final-offer selection as laid out in Bill 100.

The total number of settlements achieved with the help of the Education Relations Commission was 80. That's 80 settlements in this province where the Education Relations Commission in some way helped the parties to come to a negotiated settlement as they were required to do under Bill 100. We are talking about five strikes in this province during all that time.

**Mr. Reid:** When did they get involved in those strikes?

**Hon. Mr. Wells:** There were five strikes in this province and 80 situations where the Education Relations Commission has helped them.



**Mr. Nixon:** We are talking about specifics.

**Mr. Reid:** When did they get involved in this one?

**Hon. Mr. Wells:** They are involved in everyone of these disputes.

**Mr. Reid:** When did they get involved in this one? Did you call them or did they call you?

**Hon. Mr. Wells:** Let's not talk about the gloom and doom. Sit down and look and listen to what the Education Relations Commission has done.

**Mr. Reid:** Do you think 44 days is long enough or too long?

**Mr. Nixon:** That is a very weak defence.

**Hon. Mr. Wells:** Well, if my friend says that's a weak defence—

**Mr. Nixon:** It's no defence at all.

**Hon. Mr. Wells:** —he doesn't know what he's talking about. He made a charge that the Education Relations Commission was not effective.

**Mr. Nixon:** In this strike!

**Hon. Mr. Wells:** That charge is absolutely not true.

**Mr. Nixon:** Mr. Speaker, surely we are talking about Bill 2 or whatever it is?

**Hon. Mr. Wells:** We are talking about Bill 2, but the hon. member is trying to slough over and cast some kind of an aspersion on the education system.

**Mr. Nixon:** Not at all. I was talking specifically about this particular matter—

**Mr. Speaker:** Order, please. The minister has the floor.

**Mr. Nixon:** They didn't even go up there until you asked them.

**Mr. Makarchuk:** Throw him out!

**Hon. Mr. Wells:** Mr. Speaker, I am not going to continue to debate with the former leader of the official opposition, because I think his position on this shows why he is sitting in the place where he is today.

**Mr. Deans:** He is not the official opposition.  
Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Wells:** If there was some realization by the members of this House about what public service bargaining is all about—and I must say I think that of all people the present Leader of the Official Opposition has some understanding of this; and there are one or two other people—

**Mr. Nixon:** You are so patronizing.

**Hon. Mr. Wells:** There are one or two other people in this province—

**Mr. Nixon:** Why don't you hold hands with them a bit more?

**Mr. Lewis:** We have before.

**Hon. Mr. Wells:** There are one or two people—

**Mr. Nixon:** And you are not too sure about them—just yourself.

**Mr. Reid:** That makes four of you—you, the Leader of the Opposition, and those two other people. There are four people in the whole province who understand.

**Hon. Mr. Wells:** There are one or two other people in this province who, I think, have at least a pretty good appreciation of public service bargaining and negotiation.

**Mr. Reid:** That's four of you.

**Hon. Mr. Wells:** And one of those people is the chairman of the Education Relations Commission, Mr. Owen Shime. Another is the vice-chairman, Dean Harry Arthurs.

**Mr. Nixon:** Did Dean Arthurs go up to Kirkland Lake?

**Hon. Mr. Wells:** No, he didn't. Mr. Shime went up.

**Mr. Nixon:** Ah yes, just one member of the commission.

**Hon. Mr. Wells:** But I tell you, if the hon. member wants to learn something about public service bargaining, let him go up and spend a little while with the chairman of the Education Relations Commission instead of mouthing off in this Legislature as he does.

**Mr. Nixon:** This is where I am elected to speak. You are the one who is shirking your responsibility.

**Hon. Mr. Wells:** My friend is elected to speak in this House and to make a little sense.

**Mr. Reid:** Are you taking lessons from John Smith or Taylor?

**Hon. Mr. Wells:** I am not taking lessons from anybody, but I tell my hon. friend that I have a real, deep and abiding concern about public service bargaining in this province; and I always get back to the position that the Liberal Party of this province cares nothing about it.

**Mr. Shore:** What did you do before you read the article in the paper?

**Hon. Mr. Wells:** In fact, when I listened to the hon. member for Kitchener-Wilmot (Mr. Sweeney) I thought he was just about going to come to the position that he thought the right to strike should be taken away from teachers.

**Mr. Lewis:** He did come to that position; he just didn't say it.

**Hon. Mr. Wells:** That's right. I think he just missed that; he just didn't say it.

**An hon. member:** He did not say that.

**Hon. Mr. Wells:** He just about came to it—

**Mr. Speaker:** Would the hon. minister return to the second reading of the bill, please.

**Mr. Sweeney:** Mr. Speaker—

**Mr. Speaker:** Does the hon. member have a point of personal privilege?

**Mr. Sweeney:** Yes, Mr. Speaker.

**Mr. Lewis:** You did come close.

**Hon. Mr. Wells:** Very close.

**Mr. Sweeney:** May I refer to a single paragraph addressed to the Ontario secondary school teachers? The Liberal caucus is also fully in support of the basic principles of Bill 100. We do not favour its abolition. We do hope that serious alternatives to strike action will be worked out, but in the meantime we respect Bill 100 as it is written.

**Mr. Speaker:** The hon. minister will continue.

**Mr. Bain:** Did that clarify something?

**Hon. Mr. Wells:** Well I must say that is a rather ambivalent statement.

Interjections.

**Mr. Nixon:** That from a minister who is planning compulsory arbitration?

**Mr. Speaker:** Order, please. The hon. minister will continue.

Interjections.

**Hon. Mr. Wells:** You let me know when you have found the alternative methods.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Wells:** It is interesting, Mr. Speaker. I indicated the number of disputes in this province. There are about 20 strikes at present going on in the State of New York where the teachers' right to strike is prohibited. Teachers are being put in jail, the governor of New York is commuting sentences and so forth.

**Mr. MacDonald:** You persuaded your own backbenchers; that's what you are saying!

**Mr. Speaker:** Perhaps we could return to second reading of this bill.

**Hon. Mr. Wells:** All right.

Interjections.

**Hon. Mr. Wells:** I think that the ERC will eventually go down as one of the innovations in public service bargaining; and indeed will be copied in this province in some form in other areas.

Interjections.

**Hon. Mr. Wells:** Just so my friends opposite will not be completely neglected, I must say the only thing that offended me most in most of the arguments they made were the comments—and I must say their leader didn't make these comments but some of them made the comments—that they were the only ones for the rights of the working man and for the working class people and so forth. It is my perception that this party I belong to has always been concerned about the rights of the working person, the working man in this province.

**Mr. Nixon:** He murmured some mild objections to the commission.

**Mr. Lewis:** Very mild.

**Mr. Nixon:** Even though he is one of the four people who understand these matters.

**Hon. Mr. Wells:** How about the human rights code; how about minimum wage legislation; how about hours of work; how about compulsory vacations?

**Mr. Deans:** How about the nurses and the hospital staffs?

**Mr. Speaker:** Order, please. Perhaps we can get back to the principle of this bill and debate that?



**Hon. Mr. Wells:** There are a lot of us over here who have worked for a wage, and have worked hard for a wage.

**Mr. Nixon:** Not so many.

**Mr. Ruston:** There won't be many next time.

**Hon. Mr. Wells:** I would tell you, that I would gladly change my salary for a proper hourly rate.

**Mr. Deans:** How about the—

**Mr. Speaker:** Order, please.

**Hon. Mr. Wells:** Something more like some of the negotiated settlements, something like the plumbers or something like that.

**Mr. Speaker:** Order, please. Perhaps we could leave debating the minister's salary and return to second reading of this bill?

**Hon. Mr. Wells:** I just think it is absolutely offensive to us on this side to hear that you are the only ones who are concerned about the working people of this province.

Interjections.

**Hon. Mr. Wells:** Rather than prolong this debate, let me end it by just indicating the position of the government in these particular matters.

First of all, we believe that this bill should be passed as is because we believe the schools should be open on Monday because we are concerned about 1,650 students.

Let me deal with the reasoned amendment that has been put forward. I would like to say in very plain and simple terms why we can't accept the amendment. First of all, it proposes that a floor position be put in, based upon an offer which now no longer exists, one which was put in during a negotiating session, which was put in without prejudice and which really no longer exists on the table. I don't know how, in a piece of legislation, you can put in an offer which really would be very hard for someone now to be able to pull out and say this was the offer.

Interjections.

**Mr. Reid:** It's just posturing anyway.

**Mr. Renwick:** The arbitrator in Toronto didn't have any difficulty in resuscitating an offer.

**Mr. Nixon:** Mr. Dubin found an offer that was no longer on the table.

[9:30]

**Mr. Speaker:** Order, please.

**Hon. Mr. Wells:** No, he didn't, with respect. My learned friend, Mr. Justice Dubin, accepted the position put forward, during the arbitration, by the board.

**Mr. Nixon:** Very minor alterations. Are you going to let him do this arbitration?

**Hon. Mr. Wells:** It was the offer which was put to the teachers in October, but it wasn't the non-offer or the nebulous offer which you suggested during the debate. In this particular case the offer that was made without prejudice isn't an offer that's anywhere around now. It was put in and rejected.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Wells:** It was rejected completely and has no force in law. It is just a set of figures which somehow exists somewhere; perhaps you have a copy. It would not—

Interjections.

**Mr. Speaker:** Order. The hon. minister has the floor.

**Hon. Mr. Wells:** —be substantiated. In any event—

**Mr. Lewis:** That's not undesirable.

**Hon. Mr. Wells:** —I don't believe that in that kind of situation it is possible to put that kind of amendment into this bill. Further, what I think the member is really saying is that there should be compulsory bargaining. What the opposition is doing in its amendment is taking away the right to strike from those people. Until they arrive at a settlement, the opposition is telling them that they have to bargain by law in this bill.

Interjection.

**Hon. Mr. Wells:** It is like passing an Act of this Legislature saying that the leader of the official opposition and I have to talk every day.

**Mr. MacDonald:** Presumably that's what the law states now.

**Mr. Reid:** It sounds as though you are now—

Interjections.

**Mr. Speaker:** Order, please. Everyone has had the opportunity to participate in the—

Interjection.

**Mr. Speaker:** Everyone has had the opportunity to participate in the debate. Things will go along more smoothly with fewer interjections. The hon. minister will continue.

**Mr. Lewis:** We have those early morning chats about the cabinet agenda almost every day.

**Hon. Mr. Wells:** It is like saying that we are saying by force of law they have to bargain. I think it is taking rights away. It is taking more rights away than, for instance, our bill is taking away.

**Mr. Lewis:** I don't think so.

**Hon. Mr. Wells:** He is saying somehow they have to bargain; they have to continue bargaining; they won't have the right to strike as guaranteed under Bill 100 in this case.

**Mr. Lewis:** The Labour Relations Act says that.

**Hon. Mr. Wells:** But we will have no finality to this situation. There is no finality to the situation.

**Mr. Makarchuk:** How do the teachers feel about it?

**Hon. Mr. Wells:** How do the teachers feel about it?

**Mr. Speaker:** Order, please. Will the hon. minister ignore the interjections?

**Hon. Mr. Wells:** I don't know how the teachers feel about it, but I think that—

**Mr. Makarchuk:** They will probably accept it.

**Hon. Mr. Wells:** Mr. Speaker, the only reasonable way that I can see to bring this particular situation to a conclusion is to adopt the same course as we did in Metropolitan Toronto—to ask that it be put to arbitration in a speedy manner which will assure that there is a decision which is binding on the parties; a decision so that the teachers will know when they receive it exactly what they are going to get; a decision that will indicate to the board what it is going to have to pay; and a decision arrived upon in a speedy manner which can bring some resolution to this matter, and, hopefully, start everyone down the road to rebuilding a harmonious relationship in the schools in Kirkland Lake, which of course has got to happen.

It is not going to be easy; we have been through these before and there are certain lingering problems which occur. Hopefully the parties, upon the conclusion of the matter

and a resolution being arrived at, can start back to building harmonious relationships. As I have said in every one of these disputes, the quality of education depends upon quality teachers and it depends upon a high morale in the schools. That's what we have to re-establish, and it is not easy to do in some of these areas.

With respect to the opinions of other members of this House, we believe that can best be done through the passage of this legislation which will cause schools to reopen and the programme for the 650 students in this particular area to begin again. I would urge the members of this House to pass this legislation.

**Mr. Speaker:** Mr. Wells has moved second reading of Bill 2. Mr. Bain has moved that Bill 2 be not now read a second time but be read a second time one hour hence and that it now be referred back to have incorporated therein the following amendments—shall we dispense with reading them?

Agreed.

**Mr. Speaker:** We will vote, then, first of all on the main motion.

**Mr. Lewis:** Mr. Speaker, on a point of order, before we take the vote, since there will be a division and bells, if that division and bells can be fairly quick, we might finish the bill clause-by-clause and third reading tonight.

**Hon. Mr. Wells:** Yes, I hope that can be accomplished.

**Mr. Speaker:** Order, please. The motion is for second reading of Bill 2.

The House divided on the motion that Bill 2 be now read a second time, which was approved on the following vote:

AYES	NAYS
Auld	Bain
Belanger	Bryden
Bernier	Burr
Breithaupt	Davidson
Brunelle	(Cambridge)
Bullbrook	Deans
Cunningham	di Santo
Davis	Duksza
Eaton	Ferrier
Edighoffer	Foulds
Ferris	Godfrey
Gaunt	Laughren
Good	Lawlor
Gregory	Lewis
Grossman	Lupusella



AYES	NAYS
Haggerty	MacDonald
Hall	Mackenzie
Handleman	Makarchuk
Henderson	McClellan
Hodgson	Moffatt
Irvine	Renwick
Johnson	Samis
(Wellington-	Sandeman
Dufferin-Peel)	Swart
Kennedy	Wildman
Kerr	Young
Kerrio	Ziemba—26
Lane	
Leluk	
Maeck	
Mancini	
McCague	
McKessock	
Meen	
Miller	
(Muskoka)	
Morrow	
Newman	
(Durham North)	
Newman	
(Windsor-	
Walkerville)	
Nixon	
Norton	
Parrott	
Peterson	
Reed	
(Halton-Burlington)	
Reid	
(Rainy River)	
Riddell	
Rollins	
Ruston	
Scrivener	
Shore	
Singer	
Smith	
(Hamilton Mountain)	
Smith	
(Nipissing)	
Spence	
Stephenson	
Sweeney	
Timbrell	
Villeneuve	
Welch	
Wells	
Wiseman	
Worton	
Yakabuski—60	

**Clerk of the House:** Mr. Speaker, the "ayes" are 60, the "nays" are 26.

Motion agreed to; second reading of the bill.

[10:00]

**Mr. Speaker:** Shall this bill be ordered for third reading?

**Hon. Mr. Welch:** Committee of the whole House.

#### KIRKLAND LAKE BOARD OF EDUCATION AND TEACHERS' DISPUTE ACT

House in committee on Bill 2, An Act respecting the Kirkland Lake Board of Education and Teachers' Dispute.

**Mr. Chairman:** Are there any comments or amendments, and if so, to what section?

**Mr. Nixon:** Perhaps the minister might want to take advantage of a further opportunity to explain to the House, or even to the one or two members who criticized the actions of the commission referred to under 1(d), in the specific instance of this strike. He was able to explain a number of meetings they have had in the other negotiations, but the question at the time was the action of the commission in this specific strike action. Was it under their initiative that they went to Kirkland Lake to hold public hearings as to whether or not the school programme was in danger, or did the minister, in fact, ask them for advice in this regard?

**Hon. Mr. Wells:** Mr. Chairman, the Education Relations Commission was involved, of course, in a manner of knowing what is going on, before Sept. 11.

**Mr. Chairman:** Order, please. There is too much noise in the chamber.

**Hon. Mr. Wells:** On Sept. 11 the Education Relations Commission appointed a fact-finder in this dispute, and the fact-finder's report came back to the commission and it formed the basis for mediation which took place with a mediator appointed by the commission. The commission supervised the final offer vote and the strike vote on Nov. 20. They again appointed a mediator, Mr. Pathe, who mediated and, in contact constantly with the commission, attempted to bring about a settlement of that dispute all through January and at different times in February.

**Mr. Lewis:** A better mediator could not be found.

**Hon. Mr. Wells:** That's right; a very fine mediator who worked very hard under the aegis of the commission and appointed by the commission in this dispute.

The commission went to Kirkland Lake as a result of a letter I wrote to them asking them if they would give me an opinion as to whether the students' programmes were in jeopardy or not.

**Mr. Nixon:** If I might just pursue that for a moment, Mr. Chairman. The question, of course, is really related to the responsibility of the commission to advise the House, or the minister, I believe, when, in its opinion, the educational programme is in jeopardy. The other things that it did are, I wouldn't say routine, but they are set out quite specifically and in the past have been done by other, let's say, officials in the ministry and under the minister's order, I presume.

But I am very much concerned about the responsibility that under the legislation lies with the commission to advise the minister when the commission, in its opinion, feels that the programme is in jeopardy. I wanted the minister to put on the record, as he has done, that they went to Kirkland Lake—I shouldn't say they; the chairman went to Kirkland Lake—when he was requested for an opinion in this connection by the minister. It almost looks as if the minister saw that little squib in the *Globe and Mail* a couple of days before the Legislature reconvened and he said, "My God, are they still out on strike? We are going to have to do something about that. I better get in touch with Owen."

It's just exactly the way it looks to, let's say, an unsophisticated observer from this House such as myself. He had decided that it was time to take action and he required the justification of the commission.

I believe the concern that is felt in this connection by myself, and was referred to rather obliquely and gently by the Leader of the Opposition, who has had his fangs drawn in this connection just a bit by the blandishments of the minister and his multitude of friends in the education establishment—

**Mr. Lewis:** Not just a bit; almost totally drawn.

**Mr. Nixon:** It appears that you are fangless in this regard.

**Mr. Lewis:** Totally fangless, but at least I am one of four.

**Mr. Nixon:** Right. Well, maybe tomorrow he will decide to dismiss you from that special and select company, and I have a feeling that he will end up as only one person really knowing what is right for the board and the teachers and the students.

I want it clearly understood that the commission took no action to determine if the education programme was in danger until the minister asked it. He indicated the date of the letter; it was very soon before the House reconvened and it appeared to be more for the convenience of the minister and this House than for the good of the students involved.

I feel it is inadequate, and I would say if the minister—he can respond any way he wants—but I would hope that some time somebody will respond moderately and reasonably and look at the possibility of tightening up that specific responsibility. We are not in favour of compulsory arbitration except in those instances, and they have got to be individual instances, where obviously the greater good must be served by action of this House. But I have a feeling the commission, in this area of its responsibility alone, is simply acting at the convenience of the minister and that is not good enough.

**Hon. Mr. Wells:** Let me respond, Mr. Chairman. First of all, I think there was a misunderstanding. I did not intend, and I don't believe I ever said, that I was one of the experts on public service bargaining, because I certainly am not and I certainly do not—

**Mr. Nixon:** I would agree that you are not. You and I are on the same side there.

**Hon. Mr. Wells:** I certainly do not include myself in that category. But I do include the chairman of the Education Relations Commission and I include the vice-chairman of the Education Relations Commission.

**Mr. Nixon:** We are not questioning the bargaining.

**Hon. Mr. Wells:** All right. But I think that that is very pertinent to the point; that these people are, I think, some of the well-known experts, and as far as the Ontario scene is concerned he is probably one of the top experts in public service bargaining in this particular jurisdiction. I think you are casting an aspersion on him which doesn't deserve to be cast. The fact that I didn't ask him doesn't mean that the commission wasn't aware of its responsibility and I have to assume it means that it concluded the pupils' programmes were not in jeopardy.

There are two sides; they may not have been in jeopardy, and for the better good of the whole system and the desire to have a negotiated settlement, the commission felt that what it should do was appoint a mediator and



keep that mediator working, rather than suggesting to me that the pupils' programmes were in jeopardy and that somehow some legislated action should be taken. I have to assume that, based on their expertise, they felt that was the better way to handle this particular situation. They are sitting there, every hour of every day, with their staff and monitoring these situations in constant contact with the mediators who are working there, listening to their reports. They are very aware of these things and I don't think that they abrogated their responsibility at all. If you think they did because they didn't report to me earlier that the pupils' programmes were in jeopardy, then I guess that has to be your opinion. I have to assume that because they didn't report to me in that regard, they felt the programme wasn't in jeopardy.

**Mr. Nixon:** Why did you ask them?

**Hon. Mr. Wells:** I asked them because the question was being asked of me many times once it passed the 38 days as in Toronto. It's a very natural question; I am sure it would have been asked of me in this House, when I got in this House. It has passed 38 days; is the programme in jeopardy?

They had sent me a set of ground rules under which they would operate for this responsibility, one of them being that if I wished to have them give me an opinion, they would give it to me if I asked for it. The other was that under various circumstances, they would form their opinions themselves. I felt it would be my duty at that point in time to ask them. They could have come back to me and said, "No, the programme isn't in jeopardy."

**Mr. Nixon:** I won't pursue it except for another moment, to say to the minister that he is just assuming it was a coincidence that after he asked them they replied, "Yes, the programme was in jeopardy." It is probably the coincidence that concerns me more than anything else.

I am not questioning the ability of the commission in negotiations. As a matter of fact, I don't think they did much negotiating. They simply saw that the arbitrators and the fact-finders and so on were appointed as is required under the statute. They are undoubtedly people of ability but it concerns me that they decided that the programme was in jeopardy only after the minister asked them; after it was convenient when the Legislature had been called and after it appeared to have been brought to public attention by the *Globe and Mail*. I just leave it at that. The minister defends them. I am not criticiz-

ing them. I feel the statute is improperly drawn in this connection.

**Hon. Mr. Wells:** I just point out to my friend that I think I indicated earlier—it certainly wasn't just because of the *Globe and Mail*; I just want to get the date correct—that on March 1, the director of education wrote me and outlined concerns about the students' programme; on March 1. I then subsequently asked the commission, after receiving that letter.

**Mr. Bullbrook:** If I might be permitted, I just want to ask so that I, as one individual member, may understand it: As a matter of clear logic, one has to come to the conclusion that if the Education Relations Committee has reported to you that the programme is in jeopardy, then it was in jeopardy prior to its investigation. As I understand my colleague, his concern is if it was in jeopardy prior to the report, when did it become in jeopardy? If it is incumbent upon the commission only to report when you require a report, again, as a matter of clear logic there might be a time when those student programmes are in jeopardy when nobody is investigating things. That's what I understand the question to be—that's what I understand the question to be not responded to.

**Hon. Mr. Wells:** As I indicated, we made a certain assumption in this House when we passed Bill 100. Correct? That assumption was that teachers had the right to strike. We therefore assumed, much as we all believed and hoped it wouldn't occur or, if it did occur, it would occur very rarely, that there would be work stoppages from time to time.

We heard people from all sides of the House, including the Liberal Party and the official opposition, say that it wasn't going to matter; that the greater good of the bargaining process had to take precedence and that a few weeks of missed school wasn't going to matter in the total general pattern. That's exactly what we all voted for in this House in Bill 100 and that's what we have.

Now the question is at what time does that withdrawal of services present a real problem to the students? I have to assume that the Education Relations Commission, given that duty, constantly have that in mind when there is a withdrawal of services. While they have hundreds of disputes to monitor and be concerned about, they only have a few—a handful—of places where there really is a strike occurring. They have mediators in those situations and they're in contact; so they know what's going on. They're intelligent people and they're capable people. If I didn't

hear from them. I would have to assume they didn't feel the programme was in jeopardy.

[10:15]

One of the other crucial points in this whole thing is again the imminence of a negotiated settlement at some point in time. It may be when they investigate and look at both sides they see a negotiated settlement can occur within a day or so, and so the aim of the commission is to get that negotiated settlement, because there's no question that the kind of atmosphere—the harmonious relationships, the accord that's built up through a negotiated settlement—is better than anything else, and that is to be desired. It probably would win if you were to balance it off with another day or two of a withdrawal.

These are the kinds of things that have to go through their minds as they try to do what I think is a very tough and complicated job and one which they try to do very well. You have to remember they have only been in operation since last August. They have had 200-and-some-odd collective bargaining situations to deal with somehow, over half of them in which they had to become involved. I think they've done a pretty good job in that whole situation.

**Mr. Bain:** Mr. Chairman, I'd like to introduce two amendments to section 3. The amendments would be to subsections 4 and 5.

**Mr. Chairman:** We're dealing with section 1. We're dealing with the bill section by section.

**Mr. Bain:** I wasn't aware the remarks on the ERC related to sections. I'll give you notice that at the appropriate time I will introduce those two amendments.

**Mr. B. Newman:** Mr. Chairman, are we still going to discuss the Education Relations Commission then? May we still do that so that we don't stray on it?

**Mr. Chairman:** We're dealing with clause by clause, and we're on section 1 of the bill.

**Mr. B. Newman:** Yes, and that's 1(d) that I'm referring to and what the hon. member for Brant-Oxford-Norfolk did make mention of.

**Hon. Mr. Wells:** We're not going to be debating the Education Relations Commission tonight. Mr. Chairman, the discussion on the ERC would be more appropriately on the estimates of the ministry.

**Mr. B. Newman:** Would not the minister agree that it would be better to have the ERC report to him at stated intervals during the length of a strike so that he would be fully cognizant as to whether the educational needs of the students are being put into jeopardy or not? They could be put into jeopardy in a short period of time. It might take a little longer, but at least you would have that information, I would think, maybe on a weekly basis once a strike has taken place.

**Hon. Mr. Wells:** Mr. Chairman, they do report to me weekly on an informal basis, on these disputes.

**Mr. B. Newman:** Informal is not good enough.

**Mr. Chairman:** Any further comment on section 1?

**Mr. Sweeney:** May I just ask for a point of clarification on what I believe the minister said just a few minutes ago? I want to be sure I understand what he said. My hearing was that the Education Relations Commission hadn't up until 40 days reported that the students' educational programme was in jeopardy and, therefore, the minister has to assume—I'm paraphrasing his words—that the programme was not in jeopardy.

The point of clarification is, while I would respect the minister's judgment that these gentlemen may be experts in the field of public service bargaining, does the minister accept their judgement as being equally competent in the area of judging that after 40 days, two months—not a few weeks but two months—the student programme had not at that time been in jeopardy? It is just a point of clarification. Is that what he said? Is that what he means?

**Hon. Mr. Wells:** I have to assume if they didn't report to me that the programme was in jeopardy they felt it wasn't. Yes, that's what I'm saying.

**Mr. B. Newman:** They have all been sick.

**Mr. Nixon:** It is ridiculous.

**Hon. Mr. Wells:** I also draw to your attention that on the Education Relations Commission are a former teacher and a former school trustee and a community college board member. The community college board member and the trustee are one person.

**Mr. Nixon:** There are all those and only one of them went up there for the hearing? All those and only one went?



**Mr. Sweeney:** Does the minister concur that, given the Toronto strike and now the Kirkland Lake strike, we can take two months out of a school year and there's no effect or it's not a serious effect?

**Mr. B. Newman:** Is that what you're saying?

**Mr. Sweeney:** Does the minister concur with that?

**Hon. Mr. Wells:** What I am prepared to say is that the time and the programme can be caught up, and that will depend upon the kind of situation that now comes into being between the teachers and the students.

**Mr. Chairman:** Shall section 1 stand as part of the bill?

Section 1 agreed to.

**Mr. Chairman:** Section 2?

Section 2 agreed to.

**Mr. Chairman:** Section 3? The hon. member for Timiskaming.

**Mr. Bain** moved that section 3, subsection 4 be amended as follows: Add after the word "parties" in the fifth line the following:

including in the case of the written notice to the arbitrator from the board the non-prejudiced offer of the board dated Feb. 27, 1976, to the branch affiliate.

**Mr. Bain:** Since the next amendment is a companion amendment I trust that the chairman would allow me to make the combined companion amendments clear.

**Mr. Chairman:** Proceed.

**Mr. Bain** further moved that subsection 5 of section 3 be amended to read as follows:

The arbitrator upon receipt of a notice shall examine the non-prejudiced offer of Feb. 27, 1976, of the board to the branch affiliate and on the basis of that offer shall examine into and decide all matters that are in dispute between the parties as evidenced by the notice referred to in subsection 4, and any other matters that appear to him to be necessary to be decided in order to make a decision no less favourable to the branch affiliate than the non-prejudiced offer made by the board on Feb. 27, 1976.

**Mr. Bain:** Speaking to the amendment—

**Mr. Chairman:** Just a minute; let's read the amendment.

**Mr. Ferrier:** Accept it as read.

**Mr. Chairman:** Is it the pleasure of the committee that it be accepted as read?

Agreed.

**Mr. Ferrier:** The minister accepts it with a smile on his face.

**Mr. Bain:** The purpose of this companion package of two amendments is to try to create a reasonably good atmosphere in KLCVI when it opens on Monday.

We feel the companion amendments are certainly not a solution as good as the reasoned amendment provided. It is important, nevertheless, to retrieve what we can from this very poor bill in an effort to build a harmonious relationship in the school. This is not going to happen just by our wishing to do it; we have to do it by giving both parties something that they will be able to point to and feel that they have accomplished something through their negotiations.

These two amendments build upon the successful aspects of the negotiations that occurred and, as has been mentioned earlier by myself and others, the two parties were within \$12,000 on the complete monetary item package in the first year of the contract.

It is only by drawing upon this area of agreement we are going to be able to arrive at a reasonable settlement. It's only by drawing upon this area of agreement that we are going to be able to have a board and a teaching staff at KLCVI that, although not entirely happy, will be much more predisposed to returning to normal teaching circumstances on Monday.

I hope the House will accept these two amendments. This, I feel very strongly, is a way to establish an atmosphere in KLCVI on Monday that will be conducive to learning.

**Mr. Foulds:** Thank you, Mr. Chairman. I just want to add, very briefly, that I think it is important that we establish a floor, as outlined in the amendment proposed by my colleague from Timiskaming. The floor we are proposing, that non-prejudiced offer, was one of the major reasons why the ERC, as late as last Saturday, thought there was a negotiable settlement possible. That was the basis for some hope, and one of the reasons that the minister has argued most strongly that the dispute could have continued in day terms longer than the Metro Toronto teacher dispute did.

I think it is important that in this piece of legislation we recognize the very fruitful bar-

gaining that had taken place in Kirkland Lake up to that time. Both parties, both the board and the teachers, feel that the bargaining that has taken place and the number of meetings that they had engaged in, in mediation negotiations, were not in vain and that they had actually accomplished something. This floor and this amendment that we propose will give them that feeling of accomplishment, and the attitude and the atmosphere that my colleague from Timiskaming speaks about in Kirkland Lake and in the classrooms in the Kirkland Lake High School will be much better for that and for the feeling of accomplishment by those two negotiating parties.

**Mr. Chairman:** The hon. member for London South.

**Mr. Ferris:** Mr. Chairman, we will oppose this motion on the same basic theory as we did in the January one. I believe that it binds an arbitrator into a position which makes it virtually unworkable. It gives him much less of a degree of flexibility of how he perceives a proper settlement can be worked out.

**Mr. Makarchuk:** In other words, it is more important to the arbitrator.

**Mr. Chairman:** The hon. minister?

**Hon. Mr. Wells:** Mr. Chairman, I'm afraid that I must oppose the amendment. I think I indicated a few minutes ago that this non-prejudiced offer is really some nebulous thing that has no real substance and I feel that, as my friend has just said, it would hinder proper arbitration. I think that in this case both parties should put forward their positions and let the arbitrator do his work.

**Mr. Deans:** Can I ask the minister a question? Is there another offer that the minister would be prepared to accept as the suitable floor level? Since he hangs his hat on the fact that the non-prejudiced offer was not legally or formally on the table, is there an offer that he might personally feel would be one that would be suitable to be written into the legislation?

**Hon. Mr. Wells:** No, at this time, Mr. Chairman, I don't think there is.

**Mr. Deans:** Is it fair then to conclude that you don't believe in setting floor levels at all? It has nothing to do with it being on or not on the table, not legally or illegally presented, but, in fact, you're not prepared to accept anything.

**Mr. Chairman:** All those in favour of Mr. Bain's amendments to subsection 4 and 5 of section 3, will please say aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

I declare the amendment lost.

Bill 2 reported.

**Hon. Mr. Wells** moved that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill without amendment and asks for leave to sit again.

Motion agreed to.

### THIRD READING

**Hon. Mr. Wells** moved third reading of Bill 2, An Act respecting the Kirkland Lake Board of Education and Teachers' Dispute.

**Mr. Deans:** Just before third reading carries, I want to say something. I'm absolutely convinced that the more often we in this Legislature are prepared to deal with labour disputes, the more often we are prepared to pass legislation that will bring a resolution of a legally constituted strike, then the easier it's going to be for intransigent parties to sit back and await our decision.

Frankly, I think we're making a terrible mistake. I think we ought not to involve ourselves in these matters. There are many matters confronting many people across this province which deserve the attention of the Legislature; some of them much more long-lasting than the effect of this strike on the pupils or people of this area or any other area.

I want to suggest that I think we're simply moving slowly along the road to the elimination of rights which most of us—including the minister, I think—happen to believe are rights that the people ought to have in the Province of Ontario, with regard to collective bargaining. I hope that we, as a Legislature, will spend some time in the next short while deliberating other ways and improving on the ways currently there of resolving the labour disputes which are coming before us in rapid succession.



**Mr. Speaker:** All those in favour of Bill 2 being read the third time will please say "aye."

Those opposed will please say "nay."

In my opinion the "ayes" have it.

I declare the motion carried.

Motion agreed to; third reading of the bill.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the legislative assembly and took her seat upon the throne.

#### ROYAL ASSENT

**Hon. P. M. McGibbon** (Lieutenant Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed a certain bill to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following is the title of the bill to which Your Honour's assent is prayed:

Bill 2, An Act respecting the Kirkland Lake Board of Education and Teachers' Dispute.

**Clerk of the House:** In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to this bill.

The Honourable the Lieutenant-Governor was pleased to retire from the chamber.

**Hon. Mr. Welch:** Mr. Speaker, before moving the adjournment of the House may I indicate that tomorrow we will go back to the consideration of supplementary estimates, carrying on where we left off yesterday with the Minister of Health.

**Hon. Mr. Welch** moved the adjournment of the House.

Motion agreed to.

The House adjourned at 10:40 p.m.

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UNIVERSITY OF TORONTO

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Friday, March 12, 1976

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

THE QUEEN'S PRINTER  
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# LEGISLATURE OF ONTARIO

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FRIDAY, MARCH 12, 1976

The House met at 10 a.m.

Prayers.

**Hon. Mr. Snow:** Mr. Speaker, I am sure the hon. members of the House would want to join me this morning in welcoming to the chamber Hon. James Morgan, Minister of Transportation and Communications in the province of Newfoundland.

**Mr. Speaker:** Statements by the ministry.

Oral questions.

## GRANTS TO CHILDREN'S AID SOCIETIES

**Mr. Lewis:** A question for the Minister of Community and Social Services: What exactly is real and what is fantasy about the grants that the ministry is giving to Children's Aid Societies? Will the minister, for example, give to the Metropolitan Toronto Children's Aid Society the 10 per cent to 12 per cent increase it needs rather than the 3.1 per cent increase he has offered within the grounds of his redefinition, whatever that is, of what the government is going to do?

**Hon. Mr. Taylor:** It may be difficult to distinguish reality from fantasy in the member's mind.

**Mr. MacDonald:** You should deal with the questions and not go off on those political tangents.

**Hon. Mr. Taylor:** What I have been saying during the last two months has been consistent, namely, that no child or no person in this province in true need will do without because of the constraint programme.

I stated throughout my tour of this province that I was seeking additional funding to alleviate hardship in certain cases. I feel there are legitimate concerns in regard to some of the problems of the Children's Aid Societies, especially where an additional burden for child care has been transferred to them.

I have merely reconfirmed in my earlier statement and acknowledged that I will ensure that no child is neglected. That applies

to the Metropolitan Toronto Children's Aid Society as it applies to the other 49 Children's Aid Societies in Ontario.

**Mr. Lewis:** Can the minister perhaps be more specific and tell us, now that he has been successful with the Ministry of Correctional Services, how much additional money exactly is he now able to make available to the societies by virtue of his negotiations over section 8? What is the amount we are talking about?

**Hon. Mr. Taylor:** There will be sufficient funds to alleviate the hardships that are imposed.

**Mr. Lewis:** What does that mean?

**Mr. Deans:** How do you budget on the basis of that?

**Hon. Mr. Taylor:** Simply this: I am not in a position today to give a finite figure.

**Mr. Lewis:** Give us an estimate.

**Hon. Mr. Taylor:** Just a minute. It's not a matter of putting money on the table for grabs. It's a matter of—

**Mr. Lewis:** How do you budget without knowing the amounts you have?

**Mr. Speaker:** Order, please.

**Hon. Mr. Taylor:** It is a matter of ensuring that the true needs are provided for. It is not a matter of throwing X dollars to be divided again arbitrarily right across the board.

**Mr. Reid:** Supplementary: Am I correct in my knowledge that your regulations and the legislation of the province require welfare boards and Children's Aid Societies to take on as a case a person who is in need? If that is so, how can you tell Metro and others that they are not going to get any more funds if your legislation requires them to take these people on their caseloads?

**Hon. Mr. Taylor:** There are two areas. As you know, we have probably the most progressive Child Welfare Act in any jurisdiction in the world.

**Mr. Lewis:** Which you are now undermining.

**Hon. Mr. Taylor:** There are two areas of concern when we deal with Children's Aid Societies. One, of course, is the active care of children. The other is in the area of preventive services. The area of preventive services—that is the jurisdiction, the authority for Children's Aid Societies to involve themselves in a whole spectrum of preventive services—induces some societies to conclude that they must actively pursue that whole spectrum. I have found that throughout Ontario that is picked up to varying degrees in terms of implementation so that some societies will say it's incumbent upon them under the Act to carry on these preventive programmes. Others feel that it's not incumbent; it's there. It depends on what society, really, you are dealing with as to what it feels its true legal obligations are. What I am ensuring is that the true hard-core services are maintained in terms of the accommodation of children in need.

**Mr. Reid:** And you will make up the difference in the budget in these cases?

**Hon. Mr. Taylor:** Yes, we will ensure that the—

**Mr. Lewis:** That's just fatuous nonsense. Give us the figures.

**Hon. Mr. Taylor:** —Children's Aid Societies have sufficient funding to accommodate their needs so that they can—

**Mr. Deans:** How will they know that?

**Hon. Mr. Taylor:** —look after the children under their care.

**Mr. Speaker:** The Leader of the Opposition. Order, please. This is becoming a debate now.

**Mr. Lewis:** We want the answers. Mr. Speaker, when one asks the minister how much money, one could at least expect an answer rather than a dissertation.

**Mr. Speaker:** The ministers answer the questions as they see fit. The hon. Leader of the Opposition.

**Mr. McClellan:** A supplementary, Mr. Speaker, on the minister's answer.

**Mr. Speaker:** We will allow this supplementary.

**Mr. McClellan:** Since the minister said again that nobody in need will suffer hardship, could he explain to this House whether

he intends to proceed with the recruitment of foster homes as alternatives to "the higher cost of residential care"? Could he explain that utterly preposterous proposal to this House? Does he not know the difference between—

**Mr. Speaker:** Order, please.

**Mr. McClellan:** —foster care and residential treatment?

**Mr. Speaker:** I allowed the member a supplementary question on the first question. We are getting into a broader field. Does the Leader of the Opposition have further questions?

### PRIVATE LABORATORIES

**Mr. Lewis:** A question for the Minister of Health: Now that the minister has indicated that five doctors may be charged by the College of Physicians and Surgeons for relationships with private labs or a lab, can he indicate to us the nature of the police information which he is getting and at what point he intends to expand the government's approach to private labs to launch a full inquiry?

**Hon. F. S. Miller:** Mr. Speaker, first of all I understand that the charges are not being brought by the police against the doctors. They will be brought by the College of Physicians and Surgeons under its regulations—under its disciplinary rules. The college has met with me in the last few days and said on the basis of its study of the relationships it has found, it feels it can take these people through its own action and, if necessary, to court over it.

**Mr. Makarchuk:** How come you charge the welfare people but don't charge the doctors?

**Mr. Speaker:** Order.

**Hon. F. S. Miller:** I was satisfied and pleased that the college was very concerned about this kind of relationship.

**Mr. Makarchuk:** That is refreshing.

**Mr. MacDonald:** Who have you smoked out?

**Hon. F. S. Miller:** I have faith in some people. I even have faith in you people a lot of the time.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** I think there are many things we can do together and this is a good



example of one of them. I don't have to defend things I find wrong in my ministry. As members know from past experience, when good, valid points are brought up, I'm quite happy to have their assistance in resolving them, and this is one of those areas. I have nothing to defend. I have a problem that requires solution.

**Mr. Lewis:** Where is it?

**Hon. F. S. Miller:** Certainly many of the points members have discussed in the estimates debate the other day, for example, are worthy and are being followed up by our ministry. I'm sure members knew that, because they've seen some of the comments that were made by our staff in some of the studies.

The second part of the question was, what am I going to do about an inquiry? I don't get the police information. I believe this is given to the Attorney General and I believe it's kept confidentially with him during the preparation of charges. So it's probably just as well kept there, knowing the confidentiality of information and what happens to it. I am determined to make a number of administrative changes within my ministry to eliminate some of the duplication in the present laboratory system of Ontario and to eliminate some of the incentives to hospitals that exist which allow them to send business out as a cost-saving measure internally, but a total increase to my budget.

**Mr. MacDonald:** They're just following the established process. You do that in the whole government all the time.

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** I believe there's a place for a private lab. The idea that the private lab should not exist because one, two, three, four or 10 are found to have done something illicit doesn't mean that there isn't a place for a well-controlled private lab.

**Mr. Lewis:** You need an inquiry.

**Hon. F. S. Miller:** What I need to know is the dimension of the problem before we decide that an inquiry is required, and we are trying to find that out quite quickly. I am getting assistance from a number of areas and I'll be getting advice from a number of areas. I'm sure the Premier (Mr. Davis) is as interested in this issue as I am. If the information indicates an inquiry from a judicial point of view is needed, I can assure the member it will go on.

**Mr. MacDonald:** Supplementary: Is the minister's faith in the willingness and capa-

ity of the doctors to police their own internal operations not shaken by the revelation of all that has been going on, and presumably going on for some time, when it was under their jurisdiction? If his faith is shaken a little in light of the facts, does he not think it is time that it should be subject to the normal rules that anybody else would be subject to outside in society?

**Hon. F. S. Miller:** I'm not going to argue with the experts like, I think, Justice McRuer who has said that the age of the self-governing college had passed.

**Mr. Reid:** Well, change it then.

**Hon. F. S. Miller:** I would say that there are real advantages to us all in the continuation of systems that I believe have worked admirably well compared to many other systems. The courts don't catch all the thieves just because they're run by government. The colleges don't catch all the people who are professionally incompetent or not following the spirit of their regulations, and it's not because they're not under government that they don't. Right now I would rather work with the existing system that has been acknowledged and enshrined by this Legislature in the Health Disciplines Act. I found absolutely no unwillingness on the part of the college to process as quickly as possible and to cooperate with us when charges were made or alleged. If I had found that resistance, I would have had cause to agree with the member.

**Mr. Swart:** Supplementary: Doesn't the minister think the time for a public inquiry has arrived when his own deputy minister, almost a month ago, said that the abuse of OHIP by labs was felt to be widespread? Is that not reason for a full public inquiry?

[10:15]

**Hon. F. S. Miller:** This is in my estimates which are up today. Again I think this kind of thing needs to be explored in depth between us. I'm quite willing to accept the discussion, but I feel that using question period to answer that would really be taking time away from other ministers.

**Mr. MacDonald:** You are just bailing out the Minister of Community and Social Services (Mr. Taylor), and you know it.

## UNNECESSARY SURGERY

**Mr. Lewis:** Another quick question for the Minister of Health: Given the mounting

evidence of the unnecessary number of various operations and surgical procedures performed in the hospitals of Ontario, and the enormous additional cost to the public purse, would the minister be willing to establish a provincial audit committee between his ministry and the College of Physicians and Surgeons to look initially at the operative procedures of hysterectomy, tonsillectomy and gall-bladders, in an effort to see how many millions of dollars might be saved in Ontario if there were some serious control exercised in this field?

**Hon. F. S. Miller:** Again, I share my friend's interest in this from all points of view. I don't think it's a Canadian or Ontario phenomenon. It is a North American phenomenon.

**Mr. MacDonald:** Lead the world!

**Mr. Reid:** There's hardly a gall-bladder left in Ontario.

**Mr. Speaker:** Order, please. The hon. minister is answering the question. We are wasting time here.

**Mr. Reid:** Lots of gall but no gall-bladders.

**Mr. Speaker:** Will the hon. minister ignore the interjections, please, and answer the question?

**Hon. F. S. Miller:** Mr. Speaker, I'd love to ignore the interjections. The issue is a very crucial one. When I first became minister, I was intrigued to try to find those aspects of the health care system that were subject to management. My friend is referring to one that is of course subject to management; that is, unnecessary surgery. One of the first things I did was to ask some members of my staff to start reviewing those potentially manageable aspects of health care.

**Mr. Deans:** That's criminal.

**Hon. F. S. Miller:** It takes some time to amass the data, and I was referring to some of the data when we talked the other day. I can only tell the Leader of the Opposition that within a couple of months I hope to come out with some kind of a position on this that will allow us to discuss it further and act in that direction.

#### OHC LAND ACQUISITION

**Mr. Lewis:** I have a question for the Minister of Housing. What is the minister going to do about the judgement of His Honour Judge Addy in the Federal Court

of Canada, trial division, on Karam and Karam and the National Capital Commission, when His Honour made very strong and condemnatory statements about the land acquisition policies of the Ontario Housing Corp.?

**Hon. Mr. Rhodes:** Mr. Speaker, I have looked into that particular matter since I became aware of it in the newspaper reports. I think I have satisfied myself as to what the situation was as it related to the acquisition of that land. I would be quite prepared to make a statement here in the House concerning it. I don't propose to do so at this time and take up the time of the question period, but I would be prepared to make a statement early next week.

**Mr. Lewis:** By way of supplementary, would the minister be prepared to provide the information on which the land acquisition was based and to deal specifically with the very strong statements which Judge Addy makes?

**Hon. Mr. Rhodes:** Mr. Speaker, I would remind the hon. Leader of the Opposition that I believe, to the best of my knowledge, the details were tabled in the House by my predecessor as they related to the acquisition of the land, the cost per acre and the total price.

**Mr. Lewis:** Yes, but will the minister comment on the content?

**Hon. Mr. Rhodes:** Yes, indeed.

**Mr. Singer:** Supplementary: Would the minister not agree, Mr. Speaker, in view of what Judge Addy says, and in view of the charges that were made and proved in this House relating to South Milton and other land acquisitions, that the time is now here for a full-scale inquiry to be held by a royal commission into the affairs of Ontario Housing to determine why Ontario money is being wasted in this fashion?

**Hon. Mr. Rhodes:** Mr. Speaker, it is an opinion of the hon. member that money in fact is being wasted. I am quite prepared to present the information that I have as it relates to the acquisition of land. Figures have been tabled in this House and, in response to the question of whether or not I would request an inquiry, my answer is No.

**Mr. Bullbrook:** By way of one final supplementary, if I may, would the minister include the minutes of Ontario Housing Corp. in the documents that he makes available to us, please?



**Hon. Mr. Rhodes:** No, Mr. Speaker.

**Mr. Singer:** You could run 12 hospitals on what Ontario Housing has wasted.

**Mr. Lewis:** This is a time of restraint, you know.

#### WELFARE PAYMENTS TO METRO TORONTO

**Mr. S. Smith:** I have a question directed to the Minister of Community and Social Services. In view of the continuing concern—and more recently expressed at Metro Toronto council—could the minister please make it clear whether he will or he will not pay, as agreed, the 80 per cent of the mandatory welfare costs incurred under provincial legislation by Metropolitan Toronto? Could we be just absolutely clear whether he is going to pay the 80 per cent of the welfare cost which Metro Toronto has to pay and has no choice but to pay under provincial legislation?

**Hon. Mr. Taylor:** As I explained earlier, there is always some debate as to what is and what is not mandatory; so, for that reason—

Interjections.

**Mr. S. Smith:** Not at all.

**Hon. Mr. Taylor:** All right. There is a very broad spectrum of services that are offered by Children's Aid Societies. For that very reason, we scrutinize their budgets very closely.

**Mr. Lewis:** We are not talking about Children's Aid.

**Mr. S. Smith:** Welfare, not Children's Aid.

**Hon. Mr. Taylor:** We do in fact pay 80 per cent of the approved budget. That has been done in the past and will be done in the future.

**Mr. Lewis:** Of course, you have to.

**Mrs. Campbell:** Could the minister not distinguish between Metro council and Metro Children's Aid and would he answer the question as it applies to Metro council?

**Mr. Shore:** Yes or no?

**Mr. McClellan:** A simple question.

**Hon. Mr. Taylor:** In terms of Metro council, I presume the member is talking again about the broad spectrum of social services that are administered through that council. We have set guidelines in terms of the overall parameters of spending, and I expect the Metro

council, like other councils within Ontario, to comply with the guidelines.

**Mr. Lewis:** If you are trying to be a Jimmy Auld, you will never pull it off.

#### MERCURY POLLUTION

**Mr. S. Smith:** I have a question for the Minister of Health. Is the minister aware of the viewpoint expressed by the chief of the Whitedog reserve in as much as it is the chief's opinion that sport fishing ought to be banned in the polluted waters around that reserve, keeping in mind especially the very high degree of mercury contamination in the blood of those Indians who are involved in guiding and certain other aspects of sport fishing? Has he heard the opinion of the chief with regard to this?

**Hon. F. S. Miller:** Yes, I have.

**Mr. S. Smith:** By way of supplementary, can the Minister of Health offer us some excuse so that we can understand why his ministry has not moved swiftly to insist that the cabinet impose a ban on sport fishing in that area in accordance with the opinion of that particular chief?

**Hon. F. S. Miller:** It shocks me, Mr. Speaker, that a doctor would assume that one should take an action without getting medical advice first.

**Mr. Reid:** You have had five years.

**Hon. F. S. Miller:** I have been asking for advice and I have, as members know, sent a team of eminent people to Japan and to other parts of the world during the month of November. I was promised a report by Feb. 18. The editor of that report changed positions and I am told he is within days of giving me the report. I don't want to prejudge it but I will be glad to make its contents available to the member and to the leader of the official opposition the moment it comes in because I want to do one of two things. I do not yet know what he will recommend to me but I want members to know and I want us to approach the problem in a sensible way. If he tells me we must close for the sake of health, I will be prepared to make that kind of recommendation. If he suggests other alternatives, I would hope the member would support me in my recommendation.

**Mr. Foulds:** Is the ministry in that investigation including the consideration of the report called the Great Lakes environmental

contaminants survey which indicated, I believe about two weeks ago, that lake trout from Lake Superior should not be eaten more than once a week because of the high mercury content in those fish.

**Hon. F. S. Miller:** I haven't seen that report, Mr. Speaker.

**Mr. Speaker:** One final supplementary.

**Mr. Foulds:** I asked the minister if his investigation would include the consideration of that report.

**Hon. F. S. Miller:** Mr. Speaker, I had a specific set of things the first report was working on. I think it wise, at this late date, not to complicate it. I think one could compare one set of findings with the other, because they will be highly related. It talks about the levels of mercury in fish and the effect on health, which is basically what the issue is.

**Mr. Speaker:** Are there any further questions?

**Mr. S. Smith:** By way of a supplementary question, in view of the fact that the same processes in the making of pulp and paper have been used in many other river systems in Ontario by many other companies, can the Minister of Health tell us what his ministry is doing to check on the fish in the other river systems, what figures he has, and will he agree to table any figures in the possession of his ministry in this regard?

**Hon. F. S. Miller:** Mr. Speaker, I suppose the member's research department realizes that it is not the production of paper that causes the mercury contamination at all, but the production of caustic soda and chlorine.

**Mr. Reid:** Which is used in the process of pulp and paper; we understand that.

**Mr. Lewis:** They don't have their \$40,000 researcher yet.

**Hon. F. S. Miller:** Could the leader of the NDP just leak them some of his information?

**Mr. S. Smith:** Leak us an answer.

**Mr. Speaker:** Would the hon. minister please ignore the interjections; thank you.

**Mr. S. Smith:** He loves them, Mr. Speaker. It is his charming way of avoiding the questions.

**Mr. Ruston:** How true.

**Hon. F. S. Miller:** Yes. The fact remains that we have been looking at other systems, and this was isolated as the one that was the most critical. The member will recognize the original problem, I think, was sparked around Sarnia. The Dow Chemical case which, I know, was one of the—

**Mr. Reid:** We haven't had that question for a while.

**Mr. Singer:** The legal fees are up to half a million: "The polluters will pay."

**Mr. Speaker:** Order, please.

**Hon. F. S. Miller:** I don't suppose they are, because I don't think you're one of the counsellors.

**Mr. Speaker:** Order, please. Will the hon. minister ignore the interjections.

**Hon. F. S. Miller:** Mr. Speaker, if I ignore the interjections in this House I'd respond to nothing.

**Mr. Singer:** He insulted you again, Mr. Speaker.

**Hon. F. S. Miller:** The fact is, yes, we have.

**Mr. Ruston:** No cameras today.

[10:30]

## TRUCKERS' LICENCES

**Mr. G. E. Smith:** Mr. Speaker, I have a question of the Minister of Transportation and Communications. In view of the fact that PCV licences are being replaced by R licences, limited to certain geographic areas of the province; and due to the fact that many truckers in Orillia and other parts of the province operate and reside at points close to the borders, will the minister allow previous holders of F licences to operate in more than one region?

**Hon. Mr. Snow:** Mr. Speaker, there is no easy answer to that particular question. As was explained during the debate on the amendment to the PCV Act last fall, the province is now divided up into five regions for the new R licence for dump truck operators. Each holder of an F licence, a former open F licence, will be automatically granted a new R licence for one of those five regions, the region of his choice. If an operator operates in two regions of the province, or more, he may then apply to the Ontario Highway Transport Board for authority to operate in the second, third, fourth or fifth region.



The chairman of the Highway Transport Board is now setting up places for hearings throughout the province. He will be announcing hearings where these applications will be heard—not here in Toronto, but a different location throughout the province. They will be at as informal a place as possible so that these truckers, especially those ones that are located close to a boundary and have operated in both regions, will be able to get their permanent authority to operate in a second region. In the meantime, these truckers, if they have work in more than one region, immediately can apply to the chairman of the board and he will be able to grant them temporary authority to operate in the second region until such time as it can be formalized. This is being expedited as quickly as possible.

**Mr. Eakins:** Supplementary, Mr. Speaker: Would the minister consider south boundary adjustments, where there are obvious problems, where people live close to the boundary. I am thinking of the lower section of Haliburton where they are oriented to the south. Would the minister consider some boundary adjustments where there are obvious hardships, and if not, would he ensure that no one who has operated in the open F class for a number of years is going to lose his livelihood?

**Hon. Mr. Snow:** Mr. Speaker, the boundaries that we are using are the boundaries of the five regions established by our ministry. If there was some good reason to adjust a particular boundary for this purpose, if it would simplify matters, I wouldn't be against doing so. But I am sure that if we moved a boundary over one township or one county, or whatever it may be, we would only then create the same situation at the next line, and I would far sooner deal with this particular problem. It's not something new. It's something that we knew was there when the legislation was passed. It was discussed here in the House. I gave assurances at that time and I am sure of we look in Hansard those assurances are still there.

I must say that perhaps the biggest problem is the misunderstanding or the lack of information regarding this particular matter. Any truckers I have talked to have been totally satisfied when I have explained the situation. With the schedule in the House, I can't meet, unfortunately, with every dump truck operator in the Province of Ontario. We are attempting to get information out through the OTA to all the trucking industry. These people are normally the people who own one or two or three trucks and they are harder to

contact through the association. It would be very hard and expensive to contact them through an advertising programme. So we have to find some way of explaining it to them. I think it will all be cleared up very shortly.

**Mr. Speaker:** This will be the final supplementary on this.

**Mr. Moffatt:** Since the operators now have licences, would it not make sense to the minister that the holders of open licences receive communication from this office directly to correct the problem they anticipate happening in the next month as the construction season approaches?

**Hon. Mr. Snow:** Yes, I already have that under way. I met with some of my staff last week on this, and it is either going to be done by way of a direct letter to everyone who has a licence or through their association; one or the other.

#### WORK ACTIVITY PROGRAMMES

**Ms. Bryden:** Mr. Speaker, my question is of the Minister of Community and Social Services. If he is really interested in getting people off welfare, may I ask whether he considers the cancellation of the work incentive programmes, the work activity programmes, a step in the opposite direction to this? Is he prepared to raise the allowable earnings which recipients of social assistance may keep if they do take part-time employment, or will they end up with no more money even if they go out to work? And what is he doing to provide jobs which will help people make enough to support their families and to get off welfare if he is going to insist that they work?

**Hon. Mr. Taylor:** I will attempt to answer those three questions, Mr. Speaker. I presume the member is referring to the work activity programmes of the municipality of Metropolitan Toronto. Is that correct? Work activity programmes are carried on by a number of municipalities throughout Ontario. Of course, it's at the election of the municipalities whether or not they carry those on. We subsidize those to the extent of 80 per cent and of course we will continue to subsidize those programmes to the extent of 80 per cent of last year's expenditures plus a further 5½ per cent. In fact, we're increasing the moneys for work activity programmes. It is up to the local municipalities, in terms of their priorities, as to what they do in regard to carrying on their work activity programmes.

**Ms. Bryden:** May I clarify what I meant—work activity was one, the other was the wage supplement to the working poor.

**Hon. Mr. Taylor:** Excuse me; that is a fourth matter then. In terms of the working poor there were three demonstration projects in Ontario that we entered into last fall. One was with Metropolitan Toronto; one was with Peterborough; and the other one was with Ottawa.

The Metropolitan Toronto one was financed to the extent of \$1.2 million. The word that I've got as late as this week is that it has not been successful in that only 12 applicants have applied so far in regard to that programme, and the metropolitan corporation has now reduced its share of the moneys allocated for that programme.

The hon. member also mentioned the matter of employment opportunities for welfare recipients. May I reiterate that we feel more can be done to place welfare recipients through closer co-operation and liaison with Canada Manpower offices.

**Mr. Deans:** Canada Manpower is useless; absolutely useless.

**Hon. Mr. Taylor:** Traditionally, I think it only fair to say that Canada Manpower has not been effective in terms of placement of persons on welfare who are seeking jobs. Therefore, we have worked out with Canada Manpower the placement of welfare officers within the actual Canada Manpower offices in a number of centres—which, I gather, is working well—to assist in placements.

I believe there was another question that the member had as well?

**Ms. Bryden:** Yes; are you prepared to raise the allowable earnings?

**Hon. Mr. Taylor:** Yes, I'm sorry. In regard to the earnings of a person who may be on welfare, right now a person with dependants can keep the first \$100 of his earnings plus 25 per cent of the additional money. There are no plans to vary those provisions.

#### KENT COUNTY SCHOOL TEACHERS' STRIKE

**Mr. Spence:** Mr. Speaker, I have a question of the Minister of Education. Could the Minister of Education inform me if any progress is being made in settling the strike of the secondary school teachers and the lock-out in the secondary schools in the county of Kent? The concern of the parents of the stu-

dents who are attending these schools has been brought to my attention. What action is the minister taking to bring about a settlement of this strike?

**Hon. Mr. Wells:** Mr. Speaker, I can, of course, assure my friend that I appreciate him bringing this matter to my attention. It's been brought to my attention daily, ever since the event occurred, by my colleague who sits on my right—the Treasurer of Ontario (Mr. McKeough)—who is as concerned as he is about this matter.

**Mr. Shore:** The Treasurer is down there now.

**Hon. Mr. Wells:** Indeed, he has had several meetings with the parties from time to time in an attempt to bring about some kind of resolution of the problem. At the present time, the Education Relations Commission has asked Dean Ianni of the law school in Windsor, who has been acting as a mediator, to go back. He is there now with another mediator attempting to bring the matter to a conclusion.

#### J. CLARK KEITH GENERATING PLANT

**Mr. Burr:** Mr. Speaker, a question of the Minister of Energy regarding the announced plan to close the J. Clark Keith generating plant in Windsor: In view of the Hydro chairman's expressed fears that blackouts or brownouts may be expected in Ontario in the not too distant future, why does Hydro even contemplate taking out of commission this fully-paid-for station which is still in excellent condition?

**Hon. Mr. Timbrell:** First of all, I think the hon. member is not exactly properly quoting the chairman of Hydro or me for that matter. The indications that have come from Mr. Taylor and me in recent weeks are that unless the traditional growth and consumption of electricity is dampened over the next few years, by the early 1980s we could be facing brownouts and blackouts.

On the question of the J. Clark Keith plant, first of all the member will know—and I believe members of his party have expressed concern about this over the years—that that plant is the least efficient in terms of environmental standards of any in the entire Hydro system. I am told that it still does not meet the Ministry of the Environment's pollution standards.

Secondly, in 1975 that plant was used to the enormous extent of 1.5 per cent of its



capacity. It is used as a peaking plant because, as the member knows, it is fuelled by coal and is therefore one of the most expensive in the system in terms of operating expenses.

This plant will be closed for about 2½ years, during which time it will be decided whether it will reopen. And, if it does reopen, whether it would be a coal-fired plant or whether it would be a residual oil-fired plant, perhaps using oil from the Petrosar facility in Sarnia.

**Mr. Burr:** When the ministry, or Hydro, predicts the amount of money to be saved by such a closing does it take into account the amount that is going to be paid out in unemployment insurance by the federal government and the amount that may be paid out in welfare by the provincial government?

**Hon. Mr. Timbrell:** Mr. Speaker, the last time I checked Ontario Hydro ran neither the UIC nor the welfare department.

**Mr. B. Newman:** Mr. Speaker, a supplementary of the minister: Is the minister aware that many times the local plant was accused of polluting the environment when it wasn't even operating?

**Hon. Mr. Timbrell:** I am aware, Mr. Speaker, that those accusations have been made in the past; on occasion, by members of the two parties opposite.

**Mr. B. Newman:** I am telling the minister that officials at the plant have received calls from the Minister of the Environment to turn down the plant; to shut off the plant, when it was not even operating. He can see that he can't use that.

**Mr. Speaker:** Thank you; that is really not a supplementary question.

**Mr. B. Newman:** The question that I wanted to ask the minister is will he guarantee employment and placement to those who are going to lose their jobs as a result of the temporary shutdown of the plant?

**Hon. Mr. Handleman:** You cannot have it both ways.

**Hon. Mr. Timbrell:** Mr. Speaker, every possible effort is being put forth by Ontario Hydro to relocate as many as possible of the staff who want to relocate in other parts of the province. They are also discussing with some of the staff the potential for early retirement.

There is one problem, which I wasn't aware of until a couple of days ago, which is

being encountered and that is we are dealing with two unions. There is a different union at J. Clark Keith from other parts of the Hydro system, and the two unions don't recognize one another.

## PUBLIC TRANSPORTATION IN NIAGARA PENINSULA

**Mr. G. I. Miller:** Mr. Speaker, I have a question for the Minister of Transportation and Communications. I noticed that he had a meeting with the city of Hamilton re bus service in the Niagara Peninsula and southwestern Ontario. The question I would like to ask is: Is any subsidy being provided for that service at the present time?

**Hon. Mr. Snow:** Mr. Speaker, I presume the hon. member is referring to the service of the Canada Coach Lines? If that is his question—no, my ministry is not paying any subsidy for the operation of the Canada Coach Lines. We are, of course, paying subsidy to the city of Hamilton for the operation of the Hamilton Street Railway urban transit system.

**Mr. G. I. Miller:** A supplementary question: Is there any study being made to tie it in with the GO Transit system presently being provided from Hamilton to Toronto and other areas?

**Hon. Mr. Snow:** No, Mr. Speaker, there is no specific study being made as to extending the GO Transit to include Canada Coach. My officials are working out some studies with the officials of the Hamilton Street Railway to determine to what degree Canada Coach Lines is supplying an urban transit service within the urban transit area of the Hamilton-Wentworth region. We expect to have a report on that within the next two months, I believe, and that might make some rationale for an adjustment to the subsidy base for the city of Hamilton.

[10:45]

**Mr. Speaker:** Any further questions? The member for Oshawa.

**Mr. Breaugh:** Supplementary, Mr. Speaker: Would the minister consider extending the study outside the urban area of Hamilton?

**Hon. Mr. Snow:** Mr. Speaker, of course we are researching transportation needs and requirements continuously. It is not the government policy to subsidize the private car-

riers of passengers on bus systems throughout the province, other than the GO Transit system—which, of course, I am sure the member is aware of. I mean it is not government policy to be involved in intercity passenger transportation—in most cases carried by private carriers. In the case of the Canada Coach Lines, it is basically a private carrier which happens to be owned by the Hamilton Street Railway; the same as the Grey Coach Lines operates as a private carrier and is owned by the TTC.

### POLICE FIREARMS

**Mr. Breagh:** Mr. Speaker, I have a question of the Solicitor General. Would the minister explain why the regulations were changed to allow police officers in Ontario to use flat-nose bullets? What's the reason for that and what was the source of the request?

**Hon. Mr. MacBeth:** Mr. Speaker, there have been some changes in the regulations in connection with the weaponry that police forces in Ontario are allowed to use. There are technical reasons for it, but I am not sure of all of them. There have been rather extensive changes; but as far as this particular question is concerned, I will get some information for the members here.

**Mr. Speaker:** The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mrs. Scrivener presented the report of the Provincial Auditor for the fiscal year ending March 31, 1975.

**Mr. Speaker:** Motions.

Introduction of bills.

### SCHOOL BOARDS AND TEACHERS COLLECTIVE NEGOTIATIONS AMENDMENT ACT

Mr. Leluk moved first reading of bill intituled, An Act to amend the School Boards and Teachers Collective Negotiations Act, 1975.

Motion agreed to; first reading of the bill.

**Mr. Leluk:** Mr. Speaker, the purpose of the amendment is to require teachers to make up instructional days lost during a strike.

**An hon. member:** How about a cat-o'-nine-tails?

**An hon. member:** Presumably without pay.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 20th order, House in committee of supply.

### SUPPLEMENTARY ESTIMATES, MINISTRY OF HEALTH

(continued)

**Mr. Chairman:** Dealing specifically with vote 2903, item 1.

On vote 2903:

**Mr. Ziemba:** Mr. Chairman, in recent weeks the Ontario government has been reminding all of us of the need for constraint, restraint and holding the line on public spending. They say that we must bite the bullet and cut back, especially in the areas of health and social services.

Since Dec. 19 last, the Minister of Health has been touring the province telling the citizens of Goderich, South Porcupine, Clinton, Durham, Bobcaygeon, Kemptville, Copper Cliff and others that their hospitals must be closed with the resulting loss of employment for these communities. We had been told that 5,000 hospital workers would lose their jobs and that 3,000 hospital beds would be eliminated in the name of restraint. According to the Minister of Health (Mr. F. S. Miller), \$50 million is going to be shaved from his \$3.4-billion budget.

As the Health minister has made his rounds to these communities, he has become increasingly defensive about the cutbacks. He has begun to demand that members of the New Democratic Party say where they would cut back in the health system and achieve comparable savings without inflicting similar damage to the communities involved in the health care delivery system.

I want to respond to that challenge from the minister. I want to talk about one area of the health delivery system where an NDP government in this province would move without hesitation and without damaging the system one jot. As this debate continues, I'm confident that other members of this caucus will be talking specifically about the insensitivity and arbitrariness of the hospital closings. But I want to respond to the minister's challenge by demonstrating where we would have saved significant amounts of money while protecting the jobs of hospital workers and



further demonstrate how this particular ministry has its priorities all wrong.

Mr. Chairman, I'm going to relate to you a story, in many ways a very sordid story, a story that emerged piece by piece after many days of painstaking investigation by myself and one other person. Mr. Miller wants to save \$50 million, a nice round figure.

**Mr. Chairman:** I would remind the member, first of all, that you must restrict your comments to the Ontario Health Insurance Plan; and when you refer to another member of the House you refer to him either by the ministry he heads or the riding he represents.

**Mr. Ziemba:** Thank you, Mr. Chairman, it is the Ontario Health Insurance Plan that I'm going to be dealing with. The Minister of Health wants to save \$50 million, a nice round figure and one that jibes almost exactly with the amount of unnecessary laboratory testing that is being done in this province. OHIP payments for laboratory testing in private medical labs have risen from \$20 million in 1972 to \$88 million in this current year.

The minister is looking up, I see. The reason the pay-outs were so high last year, higher than even the ministry anticipated, was that apparently there was a leak from the ministry to the private lab sector that the ministry would be pegging the private labs as to how much business they were doing over the period of one year and that quota, that ceiling, would be imposed as a budget for each individual lab. What these private lab operators did, of course, was to fall all over themselves to try to get their business up, and the last quarter is when the leak came out. The volume of business they did was astronomical. In fact, it's going to be a surprise to this Legislature, I'm sure.

It was early in this debate that clever money investors began realizing that OHIP had left the public till unlocked. There was no control whatever by OHIP officials on whether medical tests were necessary or indeed even performed at all. When it became apparent that medical testing in private labs was a growth industry with an open-ended demand, the smart money simply moved in. A return on profit of 45 per cent of gross annual business was not in the slightest uncommon.

I have talked to a real estate agent who sells private labs. He sells them in much the same way as real estate agents sell Colonel Sanders franchises. He says they're simply a licence to print money. He makes on the average of \$10,000 every time he sells one of these. It's one of the really profitable ventures.

I submit this proliferation of medical labs has been going on for some time. In a speech delivered two years ago this month Dr. R. A. Haggart, chairman of the district committee for laboratory medicine in Hamilton said:

The failure of government to control the proliferation of commercial laboratories has probably been the greatest single factor in the excessive costs of laboratory tests. Ever since medical services became insured benefits hundreds of individuals have opened laboratories, and commercial enterprises have moved in to share this bonanza. In order to expand their operations, laboratory businessmen have launched aggressive campaigns to entice practising physicians to use their facilities. Some laboratories have advertised these services, personally solicited physicians and their employees, sent them gifts and have tried to convince government they can do lab tests cheaper than hospitals.

The signals were there as Dr. Haggart clearly indicated—here is a man who two years ago was clearly ahead of the times—the ministry chose to ignore them.

Applying inflationary considerations to the \$20 million worth of medical testing performed in 1972 we might today reasonably expect to be spending \$30 or \$35 million a year. But we're not spending \$35 million; we're spending in the neighbourhood of \$88 million on private medical testing.

The difference between what we might reasonably have expected to pay for this service and what we are paying is in excess of \$50 million or almost exactly what the Minister of Health is hoping to cut back on by reducing the quality of hospital services and throwing hospital workers out of work. If the minister had seen to it that OHIP was doing its job properly the hospital beds, hospital jobs and hospitals which were closed—all of them—could have been saved.

With proper management OHIP could have kept the growth of medical costs in line with the ordinary growth in revenues which comes with the regular expansion of the economy but OHIP isn't well managed. If the government doubts this it ought to ask the Ontario Provincial Police and the accountants who are investigating the laboratory testing scandal that I revealed last month, a month ago today.

After four weeks, OHIP has not yet been able to unscramble its records to tell police investigators who was paid and how much for what. OHIP doesn't even know where half the requisition cards are. If it doesn't know



what's going on how can the ministry expect OHIP to control its own affairs?

But now for the story, including the evidence that I promised. This is a story of how OHIP was swindled; of how the government stood by ineptly while it all happened; and how the public paid the price.

The story begins inside Abko Laboratories, suite 201, 94 Cumberland St. in midtown Toronto. There, technologists who were paid as little as \$130 to \$140 a week became infuriated at the daily sight of OHIP billings being padded. Tests that were never performed were checked off for OHIP to pay. The doctors never complained and Abko employees knew why. They knew the reason because they had also seen cheques made out to doctors and bills which were being looked after for new office equipment in doctors' offices and personal gifts.

[11:00]

Finally, the employees of the lab decided that they had to take action publicly. They took company records that documented these transactions and brought them to me. For my part, I have turned over most of this to the OPP but, before I did, I photostated the original documents and it is these photostats that I want to share with the Legislature today.

The first is what I am sure Abko would call the hit parade of doctors. This shows the names of doctors and the amount of business they generated for the lab in the year 1974, and in the first margin it shows the commissions and kickbacks that the doctors were getting.

Here is a cheque for \$8,000, dated Feb. 4, 1974, and made out to Z. Nagy. It is signed by Valentin Abersok, a partner in Abko. On the reverse side of the cheque, Dr. Z. Nagy has endorsed it and included his address, 8 Wilket Rd., Willowdale.

Here is another cheque, for \$2,000, made out to Ilone Nagy, Dr. Nagy's daughter. On the bottom of this cheque, Abko has written, "Fixture and fixtures."

Here is a cheque for \$2,200, dated April 2, and made out to Ra-Za Services Ltd. It was not easy for me to locate Ra-Za Services but in time I found it to be a storefront medical clinic, complete with two labs down in the basement. The clinic is owned and operated by two doctors, a Dr. Khan and a Dr. Singh.

The basement is divided into a medical lab—it's really what they call a collector station or a bleeding station—and the other half of the basement is a radiology lab where they

do x-rays. Rents run a little over \$500 for each side; that's \$1,000 plus a month. Abko paid over \$2,200 for four months' rent and they never moved in. The present lab, Flemington Labs, has taken over the lease and the operator of Flemington Labs is experiencing no difficulty in paying the \$500-a-month rent to Dr. Khan and Dr. Singh. In addition to that, he pays the salary of a technologist, a young woman who takes the blood samples and sends them on to the head office. Apparently there is no difficulty in paying this rent, because Flemington Labs is being fed by the two doctors upstairs.

When I interviewed Ra-Za's secretary, and I commented on how much money was being charged for the cellar, she explained it as a referral fee before correcting herself and saying it's the rent. In any case it has to be the highest rent paid for any basement on Danforth Ave., compliments of OHIP and your taxes and mine, Mr. Chairman.

I'll tell you another thing: Driving around this city and around this province, I couldn't help but notice how many apartment building are being converted to medical centres, how many storefront medical clinics there are and how many medical centres are being built. They are all over the place—medical centres for rent in a lot of these office buildings that couldn't be rented for office purposes. So it seems they are just mushrooming and it's all thanks to OHIP. It's a real opportunity for them. They all follow the same pattern too. The doctors are upstairs and the pharmacy and the medical lab, as well as the radiology lab, are downstairs. We'll get back to that later.

I also have here a receipt stamped "paid" from the T. Eaton Co. Ltd., documenting that repair services for Dr. Nagy's television set were paid for by Abko. Nothing was too petty for these people. The obvious question to ask is, why was Abko Medical Laboratories on Cumberland St. being so generous to Dr. Nagy?

Indeed, in the records that I have obtained concerning Abko are detailed sheets indicating—I showed you one of them—the amount of business in dollar terms that each doctor did with this private laboratory. These sheets reveal that referrals to Abko by Dr. Nagy amounted to \$17,825 in 1974 and \$15,259 in 1975.

Let me say and let me be very precise about this, these figures indicate Dr. Nagy's referrals in terms of actual revenue. They don't indicate necessarily what Abko may have finally billed OHIP for; that was another matter. But Dr. Nagy should not be



singled out for special treatment; he is by no means alone.

Let me deal next with the champion source of Abko revenue, a Dr. Marko Mihic. In one month alone, March, 1974, Dr. Mihic sent Abko \$4,000 worth of testing work. Now that's performance. Abko performs tests requested by Dr. Mihic and in return wealth is created—wealth for Abko, wealth for Dr. Mihic and for Dr. Mihic's family. Of course, every cent of this wealth was paid for by you and me and all the other residents and employers of Ontario who pay premiums and taxes to the Ontario Health Insurance Plan.

Because Dr. Mihic is the winner of the Abko cup, let me just take a moment to document for the Legislature the dollar amounts of testing he referred month-by-month through 1974 to Abko. In January, 1974, Dr. Mihic sent \$2,331 worth of business to Abko; in February, \$3,805; in March, as I have already mentioned, \$4,087.

**Mr. Makarchuk:** That's real growth.

**Mr. MacDonald:** It's what you call reverse strength.

**Mr. Ziemba:** In April it was \$2,259; in May, \$3,054; in June, \$2,474; and in July, 3,189. But what's this, Mr. Chairman? In August it was \$1,656; it dropped away down. Presumably, Dr. Mihic took an August vacation in 1974.

**Mr. Mackenzie:** One doctor, and one lab tested them all.

**Mr. Ziemba:** In September it was \$2,818; in October, \$2,501; in November, \$2,427 and in December, \$4,142.

**Mr. Makarchuk:** A fine Christmas present!

**Mr. Ziemba:** In one year, Mr. Chairman, Dr. Marko Mihic sent \$34,743 worth of business Abko's way. In return, the records show that such industry paid Dr. Mihic handsomely. Abko records indicate the company paid \$3,500 in several instalments to Dr. Mihic—at least one member of his family helped him on his T4 slip, I see.

I have here three cheques both made out to N. Mihic, Dr. Mihic's son Nicki, one for \$1,500 and two others for \$1,000 each.

**Mr. Makarchuk:** There is real private enterprise.

**Hon. F. S. Miller:** That is not private enterprise, that's theft.

**Mr. Swart:** Theft by whom? Will the minister say that outside the House?

**Hon. Mr. Miller:** I have got other people saying it for me. Will he say this outside the House?

**An hon. member:** Why?

Interjections.

**Hon. Mr. Miller:** Somebody just challenged me to say something outside the House.

**Mr. MacDonald:** This is what you are supposed to do with regard to the College's inadequate supervision of the profession.

Interjections.

**Mr. Ziemba:** The cheque for \$1,500 was cashed on Feb. 1, 1974, by Nicki Mihic and has his address on the reverse side—278 Oriole Parkway, Toronto, Ont.

I must not leave the Legislature with the impression that it was all dollars and cents with Abko; it wasn't. I have here a bill from Simpson's made out to A. Gergely at 2177 Danforth Ave. It's for a dyed otter-muskrat coat. They have good taste, don't they? The coat was purchased for or by a Dr. Anna Gergely at 2177 Danforth Ave., where she has both her medical office and her apartment, but the Simpson's bill was paid for by an official of Abko.

I wonder if this is any consolation to the registered nurses that I've been reading about in the Globe and Mail earlier this week, who are thrown out of the hospitals and have to clerk in Woolworth's. Dr. Gergely's dyed otter fur coat.

In fact, I cannot contrast what this government has allowed to take place in the health care delivery system more starkly than that. It's buccaneer, private enterprise run amok in its most ruthless and inhuman form. The families in this province who can least afford to be unemployed—cleaning staff, ward attendants, nurses, orderlies, technicians, ordinary working people—are losing their jobs while a doctor receives a fur coat, paid for by the taxpayers. Where is that minister who likes welfare bashing? He's not here. I'm sorry he couldn't hear this.

I have cancelled cheques here for \$1,000 and another for \$700 made out to Dr. Yat T. Tse, of 129 Dundas St., by Dr. Joseph Kohari, another Abko partner. In addition to his medical practice, Dr. Tse owns an apartment building, King's Plaza Apartments, at 122 Dowling Ave. in Toronto. Last July,

Abko kindly paid the apartment building's fuel bills in the amount of \$1,525.79. I've got that bill here, paid by Abko. The bill was paid to Star Fuels on Lawrence Ave. W. Also in July of last year, Dr. Tse had his life insurance premium with the Maritime Life Assurance Co. paid for by Abko in the amount of \$376.29. In June of last year, Dr. Tse had a little landscaping done at his home at 301 Hillhurst Blvd. and the Express Landscaping and Gardening Co.'s bill for \$76 was paid for by Abko. What a petty chiseler. I hope he's one of the five you've reported, Mr. Minister.

A bill for \$180 from Anca Laboratories in Whitby was made out to Dr. Tse, and once again it was picked up by Abko. I have it all documented here. It's apparent that Dr. Tse preferred payments in goods and services instead of cash and Abko obliged, including a bill for \$57.50 from Sands Pharmaceuticals. And if you think that Dr. Tse benefited a great deal from Abko, bear in mind that over the course of 1974, Dr. Tse sent more than \$11,000 worth of business Abko's way.

Next we come to Dr. Fred Nishikawa at 265 St. Clair Ave. E. Dr. Nishikawa is clearly a loyal family man. Abko's cheque for \$1,000 was made out to Fred's wife, Mrs. Mollie Nishikawa, and she endorsed it when she cashed it on Aug. 10, 1973, at the Donwoods Plaza branch of the Toronto Dominion Bank. It's right here, Mr. Chairman. There is another Abko entry showing a payment in the amount of \$411.75, indicating Abko reciprocated in Dr. Nishikawa's loyalty to them.

In 1971, Abko received \$6,255 worth of business from Dr. Nishikawa's referrals. A hustling private enterpriser, Dr. Nishikawa improved his productivity year by year—\$10,629 in 1973 and \$10,993 in 1974.

[11:15]

Dr. C. T. Leung, who had just moved into new offices at 600 Sherbourne St.—a kind of condominium office, very nice—received a \$299 examination table supplied by Abko—and a personal favour. Abko hired Dr. Leung's father at a weekly salary of \$150. The senior Leung was one of Abko's highest paid employees. And according to other employees at the medical laboratory, Mr. Leung did nothing for his weekly salary.

Now, this a case of a double-cross and a triple-cross. Dr. Leung was sending business Abko's way, but in the meantime the lab which was located in this posh new condominium was expecting business from other doctors. I learned that the delivery person had to sneak the samples past the lab downstairs, in and out of the doctor's office.

Dr. Claude Hale of St. George St. is a member of the staff at Wellesley Hospital and had a \$350 month subsidy from Abko towards his office rent. And there's a cheque for \$1,000 from Abko, endorsed when cashed by Dr. Hale, Jan. 20, 1973, on record in the Abko files.

Dr. A. E. Kadry of 29 Wellesley St. received a whopping Christmas present from Abko Medical Laboratories on Dec. 17, 1973. The cheque for \$8,400 was cashed two days later. One cannot help but ask the Health minister—

**Mr. Makarchuk:** Does he believe in Santa Claus?

**Mr. Ziemba:** One cannot help but ask the Health minister: Are the jobs of some hospital workers in Ontario being eliminated because of Dr. Kadry's 1973 Christmas present?

In 1973, Dr. Kadry sent \$22,604 worth of referrals to Abko. Now three of his colleagues—they all shared this Kadry clinic—Dr. Gallimore, Dr. Padimore and a Dr. Roger, operating out of this location, sent a whopping \$59,120 Abko's way during 1974. Twenty-two thousand dollars that Dr. Kadry sent in is a lot of money, but a mere pittance compared with the amount of Dr. Anna Lauks, a gynecologist and obstetrician at Women's College Hospital, sent Abko's way that same year. Dr. Lauks sent the incredible but documented amount of \$54,433 worth of referrals to Abko in 1973. According to Abko's records—it is right here—Dr. Lauks received a cheque each month for \$460 from Abko in return, to help pay her rent.

In 1973, Dr. Natalie Romanik, who occupies medical offices in the same premises as Abko, dispatched \$49,213 worth of business to Abko. Dr. Romanik received monthly returns of \$500 from Abko.

Yet another in-house source of business for Abko was Dr. Joseph Florence, at 94 Cumberland. In 1973 he sent Abko \$6,237 and in 1974 \$4,458. In return, Abko paid a bill from Eaton's home furnishings for \$508—and I have got it here—and gave him cheques of \$200 and \$700.

**Mr. Bullbrook:** I am starting to understand why the minister needs supplementary estimates.

**Mr. Ziemba:** Dr. J. N. Vanek, who occupies the next office to Dr. Leung at 600 Sherbourne St., had a bill for goods shipped from the Arte Shoppe to Dr. Vanek's home at 32 Chelford Rd. I have got the bill here. The bill was worth \$949.75, and it was paid for by Abko.



One final note about Abko. Cobac Developments is a company owned by the same men who own Abko Laboratories—Dr. Kohari and Mr. Abersok. Cobac Developments is in the business of decorating, equipping and refurbishing doctors' offices. At 94 Cumberland St., Dr. Hanincec, Dr. Vujnovic and Dr. Romanik, all had their offices done over.

In the west end and, I am sorry to say, in my riding, the two Dr. Gajics—husband and wife—and a Dr. Mihic—

Mr. Norton: Did that really happen in a socialist riding? I thought it was only in free enterprise—

Mr. Swart: Free enterprise still remains.

Mr. Warner: They are on the fringe.

Mr. Ziemba: —had their offices outfitted at a cost of about \$5,000 each; between \$4,000 and \$5,000. That's approximately \$30,000 worth of work done by Cobac, provided at no cost, right down to the last Q tip, and paid for by Abko.

Mr. Warner: Still only a police investigation?

Mr. Ziemba: So far I have only discussed one laboratory, Abko. But I don't believe this story begins and ends with Abko. The OHIP payments for private medical labs did not leap from \$17.8 million in 1971 to \$88 million in 1975 because of one private medical laboratory. I think Abko is the tip of the iceberg.

Let me come back to Dr. Haggar and his speech in Hamilton in 1974:

Physicians are the ones who order all the laboratory tests but have to answer to no one for their actions. Fortunately, the majority are reasonable men who do not abuse the system; only a minority over-utilize the laboratories. In some instances, however, practising physicians own or direct laboratories. It should go without saying that no physician should have any direct or indirect financial interest in a laboratory (or a pharmacy or optical supply house or any other medical enterprise) to which he might send his own patients. This is clearly a conflict of interest and can only result in accusations of unethical practice.

What Abko has been engaged in isn't just illegal because it is taking money unjustifiably from OHIP. It also breaks regulation 577 made under the Health Disciplines Act.

Regulation 577 says that it is professional misconduct to have a conflict of interest.

For receiving fees from any person to whom a member—of the College of Physicians and Surgeons—has referred a patient or requesting or accepting a rebate or commission for the referral of a patient, the regulation stipulates, a doctor is open to disciplinary action.

In addition, so does conduct or action which would be considered disgraceful or dishonourable by members of the profession. It would appear that not only has the government been lax in its failure to prevent a ripoff of the medical system of the magnitude of an Abko, but the College of Physicians and Surgeons was lax as well.

These are the people you have so much faith in, Mr. Minister, through the chairman, who are going to clean up this mess—the same people who were dealing with that crackpot doctor who was beating his patient with an iron bar and who gave the guy a fine.

Perhaps it's no longer possible for the profession to police itself. Certainly the cost to the taxpayers makes answers to these kinds of questions extremely pertinent. The money that pays for OHIP and the remainder of Ontario's health care delivery system is properly spread right across our society because we are interested in all members of our society being healthy. Accordingly, all society requires all of the facts in order to decide how its interests are served best.

It is for this reason that I am proposing that a select committee of this Legislature be set up to investigate OHIP generally, and real or potential conflicts of interest on the part of doctors in particular.

I have here a press clipping from the London Free Press, dated Feb. 13, 1976. "Davis Prepared to Investigate Allegations Involving Health Labs". This is a month ago. This is the day I released the story to the Toronto Star.

It says: Premier William Davis said today he is prepared to launch a full and public investigation into allegations of false billings, unnecessary testing and possible conflict of interest involving private health laboratories. "It is absolutely vital that the government move with dispatch to make public any wrong-doing, either by private testing laboratories or doctors so that the full nature of any alleged fraudulent activities may be fully understood and, where necessary, appropriate charges laid," the Premier said.

That was Feb. 13—what was he doing, Mr. Chairman? He hasn't moved yet and he's got one of these—I described it in a press conference last week; it's one of these ripoff labs, ADS Laboratories—which is right in his riding in Brampton.

Representation on that committee, Mr. Chairman, would happily—as a result of this minority government situation—include a majority from political parties which don't have a vested interest in apologizing for what they have failed at. The committee I am proposing would have the power to subpoena witnesses and compile testimony under oath, with the right of cross-examination by all interested parties. I want a full and open inquiry to let the doctors, many of whom I have mentioned, prove the excuses that they have given to the police on the advice of their lawyers—that the money paid out to them by Abko were not payments but loans, and therefore proper. Let them prove that.

Abko records that I have checked don't show any agreements by these doctors. I don't believe for one second that these were ever intended to be loans. This was a form of payola in order to get business for a private medical laboratory. It happened because the OHIP system was powerless to prevent it from happening. This is exactly the argument that I would use for not cutting back funding for hospital labs, Mr. Chairman. I have yet to come across a hospital lab that turns over any gifts, fur coats, or \$8,000 cheques to doctors.

All my life, Mr. Chairman, I have believed that the practice of medicine is a decent, honourable profession. I still do. It's a great profession. I hope my son, John, will become a doctor. He's nine now. I believe strongly that the vast majority of doctors are scrupulous and honest in their chosen profession. The vast majority of doctors are not involved in the types of practices that I have outlined in this speech. And it's these men and women who must be protected. This is another reason why this Legislature must order a public inquiry to ensure that the innocent are spared of any stigma associated with these revelations. Thank you, Mr. Chairman.

**Mr. Chairman:** The hon. member for Hamilton West.

**Hon. F. S. Miller:** Mr. Chairman, am I not allowed to reply?

**Mr. S. Smith:** If the minister would like. I can interject at any time.

**Mr. Chairman:** If you wish.

**Hon. F. S. Miller:** Mr. Chairman, the member for High Park-Swansea is, of course touching upon matters of great concern to me as well as the Legislature. I have been deeply concerned with the irregularities he alleges have occurred. The police, I understand, are investigating them now. I don't know if charges have been laid or not. The College of Physicians and Surgeons has been involved in examining the relationship with every doctor whose name that they have.

**Mr. Ziemba:** No charges have yet been laid.

**Hon. F. S. Miller:** But if this member didn't have a pre-1492 view of the world, he would not try to draw the conclusions he's drawing. We have a vested interest in finding every person in every part of government dealing or private enterprise who, through any fraudulent means, breaks the law. That job will go on as long as human beings are in business in any form at all. What he can't see is that the world isn't flat; that because he has found one person—

**Mr. McClellan:** One?

**Hon. F. S. Miller:** I am talking about a business. I quite agree there are probably others. That, in fact, one should jump to the conclusion that it was private enterprise that was at fault. That's where you and I disagree.

**Mr. Swart:** Your deputy minister said it was widespread.

**Mr. Warner:** This didn't take place in a public place.

**Hon. F. S. Miller:** No, but what takes place in a public place is inefficiency in many ways. Your forms of government are able to tolerate total inefficiency by letting the state assume all responsibility. I would rather, any time at all—

Interjections.

**Mr. Chairman:** Order, please, the minister has the floor.

[11:30]

**Hon. F. S. Miller:** I would rather, at any time at all, have to deal in the normal, traditional way with the people who break the laws, by fining and prosecuting them, than damn the system that has made this country one of the best in the world. You would like to jump to conclusions and say—

Interjections.



**Hon. F. S. Miller:** May I ask you to be quiet? Did I not sit patiently through what I consider a very important speech?

**Mr. MacDonald:** Because that was wise.

**Hon. F. S. Miller:** May I not have the same kind of respect in return?

**Mr. MacDonald:** Your reaction to this is to defend free enterprise. It's irrelevant.

**Mr. Chairman:** Order, please.

**Hon. F. S. Miller:** If you will let me finish, perhaps I will be able to draw some conclusions.

**Mr. S. Smith:** I'd like to talk today too.

**Hon. F. S. Miller:** It will be my duty to find inefficiencies in those things, such as hospitals, that are publicly financed. Admittedly, I am not likely to find people breaking the laws in public hospitals. It is not against the law to have too many people on staff or to provide extra services that may or may not be required, but it still costs the same kinds of tax dollars out of you and I. And to draw the comparison that I should not have cut out inefficiency in hospitals because I could have found inefficiencies in private labs is ridiculous, absolutely and totally ridiculous. I am working on them both. They are not mutually exclusive. I am going to get rid of any of the excesses.

The great growth in the private lab sector has not been because of the sweetheart deals, although I admit they exist. The great growth is partly my ministry's fault, and I quite accept it, in terms of the funding mechanisms we have had for hospitals which have created it. And it is partly because the free enterprise system has always been able to offer ways of giving services that are legal, apart from the things you talked about.

**Mr. Swart:** It is not free enterprise; it's private enterprise.

**Hon. F. S. Miller:** There is a great deal of competition among the 282 laboratories in this province that are licensed as private labs and, sadly enough, this kind of competition at times brings up the kinds of things you have raised. But let me say that I will endorse the police and the college in every action they take to eliminate the things which you have alleged today. Assuming they are correct—and I don't question that part of it; I don't know whether they are or not, a court must make that decision—you and I are on the same side in that argument. We can't tolerate that kind of thing. I have been keen-

ly aware of it and working on it. The very fact that it was brought up, as you may discover when we come to court, may have blown the case. That's the thing we have to find out.

**Mr. Renwick:** No.

**Hon. F. S. Miller:** I said, "may have."

**Mr. MacDonald:** Don't raise that—

**Hon. F. S. Miller:** I am not bringing the issues that you were discussing with the Attorney General (Mr. McMurtry).

**Mr. Renwick:** Either the evidence is there or it is not there.

**Hon. F. S. Miller:** I hope it is but what I am saying, sir, is that in fact we believe evidence was destroyed that would have been useful to us.

**Mr. Renwick:** That's why we have been calling for an overall judicial inquiry to prevent exactly that happening.

**Hon. F. S. Miller:** Right. I have never ruled that out, but there was—

**Mr. Deans:** You haven't done it.

**Hon. F. S. Miller:** Yes, but again, sir, you are a lawyer. You realize that one could have judicial inquiries every day of the week when somebody pops up with an irregularity somewhere.

**Mr. MacDonald:** We've had them for less excuse than this.

**Hon. F. S. Miller:** I heard two called for today—

**Mr. Renwick:** We are concerned about the very thing you are, that evidence may possibly be destroyed.

**Mr. Bullbrook:** Let's not get into this again. If he and Renwick want to talk, let them go outside and talk for a while. There was half an hour yesterday with McMurtry.

**Hon. F. S. Miller:** But, what I am trying to say is that I have a great deal of interest in cutting down two things: the ordering of unnecessary tests, which is perfectly legal and it is being done by doctors who don't get one penny kickback in any sense at all, because it has become easy to do, because it's good defensive medicine, because in many instances the forms and so on are designed in a way that allows a doctor to have a shopping list.

**Mr. Duksza:** That is your responsibility. It is your ministry.

Hon. F. S. Miller: I am not arguing that.

Mr. Chairman: Order, please. Will the minister just respond to what has been said by the member and ignore the interjections?

Hon. F. S. Miller: I will try to. Please have a quiet chat later with the members of the organization who are making them.

We do have to work on those things. You assume all problems are resolvable at once. Well, look, one thing I have learned in my ministry is that I have many, many, many problems.

Mr. Deans: You sure do.

Hon. F. S. Miller: Sure I do, and you would if you won.

Mr. S. Smith: We all would if they won.

Hon. F. S. Miller: You wouldn't. Fine, I almost have.

An hon. member: You must live right at times.

Mr. MacDonald: We know in advance.

Hon. F. S. Miller: You live in a dream world. Some day, I say, when—

Mr. Breithaupt: I almost wish they did.

Mr. Chairman: Order, please. The minister is no longer responding to the remarks of the member for High Park-Swansea. He is responding to the interjections. I will now recognize the member for Hamilton West.

Mr. S. Smith: Thank you, Mr. Chairman.

Mr. Norton: Restore some order among the people on the other side.

Hon. F. S. Miller: On a point of order, Mr. Chairman. I never interjected. I think I may have made one during the speech of the member for High Park-Swansea. I think I normally have a reasonably quiet stance while people are talking to me.

It is very difficult to ignore interjections and to blame the speaker for responding to them. Without taking some action to penalize those making them is not totally fair.

Mr. Chairman: I have asked them to refrain from interjecting and I hoped that you would have ignored them. It seems we are not making any progress at all. I will recognize the member for Hamilton West.

Mr. S. Smith: Thank you very much, Mr. Chairman. The minister, in fact, does not

usually respond to interjections; generally speaking he responds to thoughts which come to him from random places, as I recall.

Hon. F. S. Miller: That's an interjection I can't afford to ignore.

Mr. Mackenzie: Holton says he is illegal.

Mr. S. Smith: I am pleased to stand up.

Mr. Renwick: That wasn't an interjection, because you were on your feet.

Mr. S. Smith: In the estimates that we are discussing today it is perfectly obvious that the points brought up by the member for High Park-Swansea (Mr. Ziembra) are extremely important points, which I am very pleased that he has brought up in this House. I want to support him in his efforts in doing this particular type of investigative work.

I would also like to say that there are many other members, I suspect, who have information that they would like to bring forward—and I am going to talk about some of this. They would very much like to have the inquiry that was already promised to the people of this province by the Premier (Mr. Davis) of this province. It would provide the proper forum for people to come forward with various types of evidence—some of which would be hearsay—but which would be extremely helpful to the people, and to the medical profession as a whole, so that they would be forewarned about the kinds of facilities and services and deals that happen to exist. It would be very helpful to the ministry as well.

For the life of me, I cannot understand why the Premier has not made good on a very reasonable promise, and one which I congratulated him for and which I was very pleased to see reported. He would have the support of all parties in the House for such an inquiry; and it could in no way reflect badly upon him or upon his government. As far as I am concerned, it is something that should have already gone ahead.

I want to say something about the private labs, and then something about the public labs that have been closed. With regard to the private labs, I think it is obvious and it is well known in the medical profession, and the ministry knows it very well, that far too much ordering of laboratory tests goes on all the time. I am speaking of honest people; ordering them at honest labs. I am not speaking only of those where there are some very questionable proceedings.

It seems very clear that the present system, which the ministry seems to be very enamoured of, really gives the doctor no incentive to be frugal or thrifty with public money.



The story is repeated over and over again—because the same is true in hospital beds, the same is true in return visits, the same is true with surgery, and so on. The incentives are all to spend more and not to spend less. The ministry seems to have a strange inertia here. They seem unable to introduce a method of payment which would, in fact, encourage doctors to be more frugal; to have them police each other; to set standards for each other; to have publication in each region and in each area of the names of those doctors who are clearly over-ordering to ask the medical societies to really police themselves. And failing that, to introduce non-medical people into the policing function, so that the interests of the public could properly be served.

Of course, it is the doctor who has to decide which tests to order. But we well know from various medical auditing procedures that there are ways in which doctors can be brought to meet a certain standard. I bring to your attention the example of utilization committees which in some hospitals are very effective indeed and which publish for everyone the average number of days in hospital or the average number of tests or the types of tests which ought to be ordered and the frequency with which they ought to be ordered. Most doctors will try to keep within these standards but if there is no attention paid to this, if they are not published, if the committees don't exist or are toothless, then I think a good many well-meaning doctors just take the easy way out.

This government threatens deterrent fees on the patients. They are saying if you penalize the patient, then he might scream loud enough so the doctor won't misuse the system and won't overorder the tests. And, of course, they are right in a way. They have a certain logic on their side in the sense that they could reduce fees and payments about seven per cent, according to the Saskatchewan experience, if they introduced a deterrent fee on the patient.

First of all, it seems to me grossly unjust that it's the patient who should have to suffer financially because the doctors refuse to police themselves and the ministry refuses to help the doctors police themselves. It strikes me, furthermore, as unjust because the experience in Saskatchewan showed that the people who were deterred from seeking services were those people in large families and those people who were elderly.

There may not be an indentity between the large families and the elderly, on the one hand, and the poor and the sick on the other, but it strikes me as sufficiently likely that they

are the same people. This is the work of Dr. Beck in Saskatchewan. Our party cannot possibly support deterrent fees and we, therefore, would hope that the minister would stop blaming the patient for the sins of the doctor. As a physician, I have worked very hard with my fellow physicians and I find a vast majority of them very interested and very willing to adapt their practices in the public interest. But somebody has to sit down with them; the mechanism must be set up. And this ministry shows absolutely no energy for that type of a flexible approach.

With regard to the labs, the Ontario Association of Medical Laboratories, which I suspect has many members who are perfectly honest people trying to do a good job, has pointed out that between \$3 million and \$4 million a year could be saved by the simple expedient of preventing the ordering of profile testing. To explain this—and the minister knows it very well—when you want to test, let's say somebody's liver function, it could be done very well by ordering one test or sometimes two or three, but many of the laboratory requisitions and so on make it mandatory pretty well to order a whole profile which consists of maybe 10, 11 or 12 tests and they are all done and they are billed individually to OHIP. The benefit to the patient is highly questionable and the association of labs has suggested that this be in some way curtailed and they have made very specific suggestions in a report to Mr. Backley on Jan. 27 of this year.

I know the minister has a lot of problems and he frequently reveals many of them here in the House, for that matter.

**Mr. Reid:** Nothing Freudian about that.

**Hon. F. S. Miller:** On a point of personal privilege, Mr. Chairman, I must ask for my diagnosis today because I understand the balance of your party has it and I would rather like to see it.

**Mr. Reid:** It is not good.

**Mr. Breithaupt:** We will give you a full profile.

**Mr. S. Smith:** The minister himself has put it very well, Mr. Chairman, when he said how difficult it is to give bad news to people. I can't possibly answer his question.

**Mr. Grossman:** It is harder to receive it.

**Mr. S. Smith:** The recommendations have been made and they strike me as very modest and reasonable recommendations. I don't understand why between the end of January

and now he could not have taken some steps to implement them. For one thing, they recommend—and it sounds like a simple mechanical thing—that none of the laboratory requisitions should be allowed to be reprinted and reused without approval of a certain advisory committee and, to me, that should have been set up immediately. I don't understand what the delay is about.

There are a number of other recommendations and I won't burden the House with reading them all. They are in the report which is open to any member to read. But these recommendations should be implemented immediately.

[11.45]

Let me tell you the story that occurred in Hamilton. A very distinguished doctor there called me—he actually called a friend of mine to say he wanted this message passed on to me. He was very disturbed that a particular laboratory company, a private lab, had approached him, as a representative of a group of doctors who own their own building and have their clinics there, to offer to provide a laboratory service for these doctors. The offer was a very strange one inasmuch as it consisted of an offer to rent premises in the doctor's building at much higher than any rate of rent that would normally be charged for those particular buildings.

Furthermore, the company offered to hire for the doctors—or to have the doctors hire and the company would pay the salary—a person to do some of the blood-letting and the preparations for testing and so on. This particular person, who would work in the doctor's office, would be paid at whatever the going rate was but the doctors would be compensated for a salary much higher than the going rate. They could spend whatever portion of that they thought would be necessary to hire the particular technician involved.

Furthermore, if that were not sufficient, there was an offer to form a pharmacy in that particular building and, again, to adjust the rents in such a way that, although it might not be legally a kickback, the amount, the volume, of prescriptions put through that pharmacy would, one way or another, be reflected in higher rents which would come back to the doctors' group. In addition to that, if that were not enough, they were offered trips to Hawaii with their wives, if they so preferred.

I calculated that the total cost of this particular package to the laboratory company must surely come to somewhere between—I don't know—maybe \$23,000 to \$32,000 a year.

I am being fairly careful in that particular estimate.

Knowing what these doctors could possibly generate, even if they became lab crazy in the way of testing, that must mean that for every \$30,000 of lab tests about \$6,000, as far as I can make out—\$6,000 to \$8,000 at least, minimum—would come back in one form of kickback or another.

These people would have no truck with such individuals. These people were very honest. They simply threw them out of the office and got hold of my people immediately.

I was about to reveal this information when, strangely enough, two days later the Premier (Mr. Davis) of the province announced that there would be an inquiry. I said to them there was the proper place for us to give this information because a lot of it was hearsay; we had nothing in writing. I speak in the Legislature well aware of a certain immunity concerned in so doing.

I am terribly disappointed because I wonder how many other good people like my friend must exist, who would come forward if there were such an inquiry; who could be persuaded, through the local academies of medicine and medical societies, to come forward so as to protect the name of the medical profession and the laboratory profession.

With regard to the public health labs closed, I've had occasion to visit them now. I have not visited the one in St. Catharines but I've been to Kenora, Woodstock and North Bay. I am very disturbed because I ended up in each of these places spending an evening talking with people and trying to guess what the minister has in mind.

It is a very disturbing thing, if any of you have done this, to meet with a bunch of people who are losing their jobs. I'm in favour of restraint and I was prepared to stand up and say, "I'm sorry but you may have to lose your jobs. That is just the way it is. If we are cutting back, jobs are lost." Yet I couldn't answer their questions which had to do with how many dollars would be saved; how many people would it take to do these tests in a neighbouring lab; and so on. It's awfully tough.

We started guessing—maybe, if he has in mind switching this type of test to this lab and this type of test to another, he could save this. It was a guessing game. I cannot understand why the same ministry that actually has courses in management—the famous Ministry of Health management technique courses which tell you, if you are



a civil servant in that ministry, that the proper way to manage is to consult with your employees; to consult with the people under you; to talk with them; to share the decision-making—couldn't do such a simple thing as that. The minister's answer that if he were to do that he would just get a lot of flak and feedback and it would make his life difficult is an answer that I find really one of the worst he has ever given in his ministry since I've known him in my very short time here. I'm just amazed that he would come up with answers like that. When you can talk with people, when you ask their opinion, when you explain to them in a painstaking way the logic of what you're doing and why you're compelled to do it, of course that's difficult. It's complicated, it's time-consuming; but good heavens, have we reached a point in 1976 that the government is so old and so tired that it has neither the patience nor the energy to consult with the very people involved. Are matters in such a hurry that it has come to this state of affairs?

Look at Kenora. Kenora is a lab which I have visited. It's a very modern and a very nice lab. It has four people working there—a chief technician, an assistant technician and then two people at the aid or secretarial level. To take the tests out of Kenora and switch them to Thunder Bay, they will probably have to hire at least a technician in Thunder Bay and possibly one more person. One of these people has built his own house with his own hands in Kenora, having been assured that the job would be a long-lasting one. Kenora being a disadvantaged area economically, he's not going to get anything for that house when he sells it; so he's in really bad difficulties there. He has to move to take another job with a lab service elsewhere.

They have to hire a courier service. Then there's the problem that the roads are frequently impassable. I calculated that they are going to save probably the salary of one secretary and maybe two. In a place like Kenora—where unemployment is so rampant and where the economy is so down compared to the rest of the Province of Ontario; where, probably at this moment as we sit here, I suspect there are 30 or 40 civil servants drawing a salary working out plans on how to increase employment in Kenora—to save one or two salaries for a secretary and make the people of Kenora feel that they are being picked on in this way makes no sense at all. If he had gone up to look at that lab and spoken to the people there, then the minister would know that they're

going to have to break steamlines and gaslines and take down a wall in order to get the equipment out of that place. It doesn't appear to make sense. It was only built six or seven years ago. It doesn't make sense at all.

I wish the minister would be less stubborn. He seems to feel that he's going out on a limb on these closings, and he seems to feel that somehow or other he just has to stick with them, unless of course he's advised by the minister sitting beside him from time to time that he has made a mistake in Milton and places like that. Once in a while he can be persuaded, apparently, by certain female hospital administrators, but apart from that particular penchant of the minister it seems to me that he ought not to be so stubborn.

It is senseless to close the Kenora lab, absolutely senseless. He ought to be willing to accept that maybe the advice he is given by his ministry has not always been brilliant advice and that maybe he should exercise some of his prerogatives as the Minister of Health and not just be the servant of the people who are under him in the ministry.

I want to say a word about dental services, because the minister has constantly said that with regard to OHIP no services would be endangered in his cutback and yet there persists the rumour that he intends to phase out dental services in hospitals for those people who go in, for instance to have a large number of teeth extracted and it is suggested that it be done in a hospital. He feels, we are told, that that should not be done under OHIP and personally I would like to hear whether that is his decision, because I like to be open with people. I personally disagree totally with that decision if it is his decision.

Let me talk about doctors' fees and about OHIP, because obviously we will discuss hospitals under another vote. One of the problems that we keep hearing about with regard to OHIP is the administrative cost. There is a belief about, whether it be correct or not, that to administer that particular insurance programme is extremely costly and most insurance people toss around a figure which indicates that OHIP is much more costly to administer than, let's say PSI was before it. I think it is very important that the true, complete costs of administering OHIP, not just the ones that the minister is fond of passing around from time to time, but every single cost of administration of OHIP, be published in a way that everybody can understand so that we know how much of the

money goes for administration. I hear stories every day of the number of clerks who are sending out all kinds of duplicated material from OHIP and the amount of coffee drunk in the office and things of this kind, and I am very concerned. I don't wish to slander anybody who is working there and working hard, but I think it is important that the minister give us the figures on administration in OHIP and that they better be totally accurate and complete figures.

I am concerned also, in OHIP, that you never seem to come to grips with this whole business of an OMA fee schedule and the whole question of the disparity in incomes between the various specialties in the practice of medicine. It is so obvious that there are various surgical specialties that are vastly overpaid in this province and it is so obvious that there are many hardworking, rural particularly, general practitioners who are in some ways, in some respects, underpaid for the amount of work and the hours they put in. That particular discrepancy is something which this government has failed to deal with over the years.

I would say that the minister would be very wise seriously to consider what has been recommended to him in a number of reports, that is to let the medical profession know that the total amount of money that they can have for fees in a given year is just a certain amount, whatever it happens to be, and let them figure out a way to divide it between themselves, because at the moment what you are doing is playing the old Windsor-Ottawa-Toronto game that happens in education.

As long as you have across-the-board increases, then that means the rich get richer and the poor get relatively poorer in this particular way. What happens is that they keep having their eyes set on the people who are at the high part of this profession and as they go up, as the leading surgeons go up in income, everybody else has to go up as well to keep pace.

I would say to you that in the long run the province would save money if it could get the medical profession to divide its own money and say: "This is the amount you have, you figure out how you are going to divide it. That is all that you are going to have for now"; because right now the fee for service and the fee for procedure makes very little sense. The people pay a great deal of money to support the procedure that any given surgeon does, and yet the surgeon collects a rather high fee.

I want to talk on the subject of unnecessary surgery. This is a topic I mentioned at a

press conference some time ago and I wish to return to it at this time in the House. We are very disturbed by this. Of course, there is no clear definition of what constitutes appropriate surgery and so on. It is a rather difficult matter, but there have been various studies—one very close to here by Eugene Vayda and others by Bunker—that show that Canadian and United States surgical rates are much higher than those in England and Wales, yet death rates and incidence of illness from these various conditions for which the surgery is recommended are really no different in North America as opposed to England and Wales. It's interesting that the only thing that seems to correlate with the incidence of surgery is the incidence of surgery. Every study that has been done has come to the conclusion that the one thing that guarantees that a lot of surgery will be performed is if you have a lot of surgeons. It doesn't seem to matter as to what the illness incidence or the health care situation generally is, it is the method of payment. If you pay for procedure and the number of surgeries, that determines how much of the so-called discretionary surgery gets done. It is all paid under OHIP.

There are many operations that are questionable—inguinal hernia, tonsillectomy, adenoidectomy, hysterectomy, cholecystectomy. Obviously there are times these operations need to be done and they are perfectly evident, but there is a large discretion in there. There is a large element of discretion where a choice can be made whether to do this surgery or not, and the thing that seems to encourage the balance to be shifted in favour of doing it seems to be whether there are surgeons around looking for work to do. It also seems to be the way in which you pay your surgeons.

I would like to bring to your attention some of the results from these studies. They're in the public domain, of course, and anybody can find them.

[12:00]

The evidence, first: In 1972, the rate for 100,000 of the population, age corrected, for hysterectomy in England and Wales was 213; in Newfoundland it was 502, in Manitoba 522 and Ontario 630. That may not seem like a very large difference but even between the two closest, Ontario and Manitoba, the difference really is that you could have had 4,000 fewer hysterectomies—that's just one operation—in one year in Ontario alone simply by applying the same criteria used in Manitoba. There is no evidence that in On-



tario there is anything more in the way of illness that requires more hysterectomies.

I'm not even taking up the issue which many people have brought up of how unfair it is to patients because every time you do an operation there's the risk, of course, of anaesthetic death and complications. I'm not even taking up here the issue of how unfair it is to women that hysterectomies are performed by male surgeons so frequently when they wouldn't be quite so quick to perform an analogous operation on people of male gender.

The fact is that just looking at it from the point of view of dollars and cents the 4,000 operations—I'll get into how much that costs in a moment—if you figure the hospital costs and the cost of the surgeon and so on, the 4,000 operations could have saved us \$4.5 million. That's just in one year.

If we look at tonsillectomy and adenoidectomy, the rate in 1972, for instance, in England and Wales—where they have a lot of bronchial disease and so on—is 497; Newfoundland 368, Manitoba 597 and Ontario 741.

Again, if we just take the next highest, Manitoba, and compare it with Ontario, we could have had 10,529 fewer tonsillectomies and adenoidectomies in Ontario with impunity. Not only were 10,00 children subjected to hospitalization and dangerous operations for nothing but, in fact, it cost the public a great deal of money. Considering that much shorter length of stay, of course, is involved in that particular operation, we calculate the savings to be \$2,471,393.

Since 1972 there have been changes. Ontario's rate has come down somewhat for hysterectomy and tonsillectomy but Manitoba's has come down more and those in other provinces have also come down. If we were to use the standards of England and Wales, in point of fact, we'd be talking about reductions of \$15 million and \$16 million a year just for those two operations alone.

I'm not even going into the figures on hernia, on cholecystectomy, on certain aspects of mastectomy and on prostatectomy which are also costing the public in this province a tremendous fortune, even apart from the fact that the surgery should never be performed in the first place.

When the minister goes around this province and talks about the necessity for us all to show restraint—he got me into a heck of a lot of difficulty because I had a press conference when he finally decided to cut the beds and to cut money from some of the larger city

hospitals. When he finally decided to let a community like Hamilton make its own decision about it, I congratulated him. I actually stood up and said, "That's really good. Finally, you're cutting where it needs to be cut—in the big hospitals and the big cities. Finally, you're giving a place like Hamilton a chance to get together and make its own choice, its own decisions."

Unfortunately, that was taken in some parts of the province to mean that I approved of the way he's been going around doing all the cuts, and of course nothing could be farther from the truth.

The fact of the matter is that when you can see this money in unnecessary surgery, why do you always look for the cleaners you can throw out of work? Why do you always look for the nurses' aides you can throw out of work? Why do you look for the small towns and the hospitals and the public health labs which you can kick out very easily? They don't have much clout.

Why is it you won't deal with the doctors who need to be formed into groups which will police each other properly, not with the present sort of self-policing which amounts to nothing in the way of medical audit and nothing in the way of saving the public's money? There is no reward for frugality and thrift with the public's money today. Why is it that you refuse to introduce standards committees and utilization committees? Why will you not confront the medical profession head on?

You would be doing the medical profession a favour there too. There are many of us in that profession, some of whom are members of this House now, who have been fighting for years to get the ordinary doctor in practice to consider the public money and to consider the public interest, not just the private matter he happens to be dealing with. We would be delighted to assist the minister, I am sure, in this particular venture.

There are many doctors, I can tell you, who are perfectly public-spirited and who would like to be able to work to decrease unnecessary utilization of health facilities. I worked, in fact, as assistant chairman of the utilization committee at St. Joseph's Hospital in Hamilton. I can tell you that there were 20 and 30 doctors volunteering for service on that committee who then formed what we called "patrolling functions," in the sense that they spoke to their fellow doctors and brought to their attention excessive lengths of stay and things of this kind.

Why can you not introduce that sort of thing across this province? Why is it so much

easier to sit in your office and simply dictate a note saying, "We have decided to save X million by closing this lab and \$100,000 by closing that one," when the savings are really out there to be made in a fundamental restructuring of the way you go about dealing with the medical profession. You can deal with them in a way which would be honourable, which would be acceptable to them and which wouldn't be a slur on them in any way whatsoever.

It could be done if you had the energy and the enthusiasm and the willingness to take on the task. I am afraid you don't at the moment. I am afraid that after running in this last direction and telling us all how we are somehow inaccurate in our figures; that we didn't really need to save money; that there was no waste in government; there was no fat in government; suddenly you find yourself rushing about in a haphazard manner, trying to cut left and right. We are supposed to admire this. I am willing to accept a repentant sinner at some point but don't expect me to admire you for doing it. I'll accept it but I won't admire it.

I think you are abrogating your responsibilities in terms of dealing with the medical profession.

**Hon. F. S. Miller:** It is difficult to carry the responses if I listen to a series of speakers because often the speaker has left. If I may try to answer each one in turn, I would appreciate it and I will try to be brief.

You started on the question of the laboratories and the publicity and the statement in which the Premier (Mr. Davis) said there might be an inquiry.

**Mr. Warner:** Might be?

**Hon. F. S. Miller:** Most certainly in the interval there has been a good deal of work done to prepare—read it carefully; I will read it again without making unequivocal statements—most certainly we are preparing the evidence to determine if an inquiry should be held. Most certainly I feel there is nothing to be lost and much to be gained through any evidence which comes out through it. I don't have any particularly protective stance in this or any other thing which uncovers areas which need to be improved in my ministry.

I am curious to think, though, that you don't believe that we look at some of the practices of physicians today, whether it be in the ordering of laboratory tests which you first alluded to, or in the requirement for unnecessary surgery which you alluded to at the end. In either case, I know you are aware of the medical committees in many hospitals.

You must know that profiles on laboratory testing and tests ordered, and profiles on the billing practices of physicians are available, are scrutinized and are turned over to peers for review. It does take a doctor to review a doctor's practice. I hope you will agree with that.

The differentiation, though, that I seem to feel in your comments is that somehow you would have the state telling the medical profession how many hysterectomies are permitted a year, etc.

**Mr. S. Smith:** I didn't say that.

**Hon. F. S. Miller:** We have approached it another way.

**Mr. S. Smith:** It's not what I said.

**An hon. member:** He didn't say that.

**Hon. F. S. Miller:** I didn't say he said it. Mr. Chairman, I was told not to listen to interjections, so I'm going to plug my ears and plod forward regardless.

**Mr. S. Smith:** You might at least listen to the address.

**Hon. F. S. Miller:** I simply point out that we are proceeding in that direction. The rate of surgery is too high. We chose to combat it through two means. One is to limit the number of specialists. I agree with your statement that surgery is proportional to surgeons. Psychiatry is proportional to psychiatrists. Perhaps one of the things we've been blessed with in this province is a shortage of psychiatrists. If in fact your comments upon all of us having our appendices out because there are a lot of surgeons around are correct, think how many people are mentally well because we don't have psychiatrists in the province in the numbers we should have.

**Mr. S. Smith:** May I just say a word on that. I happen to agree with you about that. But one of the things you should do in this regard—and I'm very serious about this, because it's an enormous waste of money in psychiatry—is you should look at the fact that at a place like Toronto on St. Clair Avenue you have all kinds of psychiatrists sitting there talking to people and being paid with no limit for any length or any number of visits for chats and discussions, and being paid at a very high rate by OHIP, while the mentally ill of this province are treated by a relatively small number of psychiatrists in rather poor conditions in the provincial hospitals. Your comment is absolutely correct. I wish that you'd take exactly what I said about surgery and apply it to psychiatry and every other specialty.



**Hon. F. S. Miller:** Mr. Chairman, as a matter of fact, it is interesting to note that the high rates that psychiatrists are paid in private practice are lower than they were in the universities. That is an interesting fact. I looked through the statistics the other day of the comparative salaries of the various specialists who teach and the various specialists who practice, and psychiatrists are, as you probably know, relatively low on both totem poles. They do not earn the kind of money other doctors do, perhaps because they are usually dealing on a one for one basis with patients. Perhaps it takes a considerable time to deal effectively with one patient.

**Mr. S. Smith:** Hourly rates versus fees for services.

**Hon. F. S. Miller:** Yes. So, in effect, the psychiatrist who does his job has certain problems. I guess one of the best reasons for group therapy was it got more people into a room at one time to be talked to and billed all at once.

**Mr. Moffatt:** That's very good.

**Hon. F. S. Miller:** The OMA fee schedule is not set by the province. Let's get that clear. The province determines the growth in the OMA fee schedule in a total per cent. It was settled at 8.1 per cent this year.

Again I agree with the member. There are many inequities in the individual fees in the schedule set by the physicians. If they give surgeons a 10 per cent increase on a particular procedure, and you've quoted the numbers of them, so many are done per year, that the computer says: "You've used up so much of the dollars we will give you." If they say an office visit should go up five per cent, our computer says: "You've used so much of the dollars we will give you;" until in effect the individual changes in the fee schedule multiplied by the frequency of the procedures equal the amount we allow.

Surely, again that is better than the state being the decider of the relative values of physicians' services. I truly believe that physicians will fight that out themselves and that I should control the costs of the system. It is an open-ended system in the sense that I have to pay for those necessary medical services rendered by the physicians of the province. These have increased; and the very reason we are here today is they increased last year 3.5 per cent more than predicted. Of the \$18.5 million I'm asking for under this vote, I believe about \$13.5 million was generated by an increase in the

per patient visits to physicians. It doesn't mean I believe they should have.

[12:15]

I heard a doctor of the Ontario Medical Association stand up last year—at least he was quoted as saying this; I didn't hear him—after the relatively unsatisfactory four per cent increase of 1975, and say: "Well, fellows, see your patients a little faster, a little more often and you'll get more money."

I decry that kind of approach. You do too. We have a job to work at it. But I'm not convinced yet that a global budget for the physicians' component of the OHIP billing is the answer. Certainly it has been considered, certainly it's been discussed and it has never been totally rejected. But it has implications that I think you will realize are not easy to administer.

One would have to predetermine the pro-ration of the OMA schedule and adjust it pretty frequently until, all of a sudden at the end of the year you might be getting 30 per cent of the schedule for services you rendered. If we worked that route I think that could have a very harmful effect upon, for example a physician who comes into the business during the last quarter of the year; and also people who are coming in for necessary medical care at that time.

I got a little confused by your comments. You said I sat in my office and dispatched memos to people telling them to save money, and then I charged off in all directions, or words to that effect. Well, I certainly tried to go around and see most of the groups that were affected. I think it was a useful exercise, and I'm still talking to them. I must admit I'm hearing some very interesting suggestions coming from people. I think I'm trying to keep an open mind on those.

Let me go back for a second, though. I'm not blaming patients or MDs for the growth in the percentage of utilization. I blame the system. The system is designed by government and the system needs to be reviewed by government. I've talked about deterrent fees; they may not be the answer. Certainly the academics tell me you're right. Certainly my stomach tells me you're wrong.

Let me draw the analogy I've used a couple of times. The system right now has apparent free access. The patient comes and demands of the doctor, or the doctor demands of the patient to come. I think it's true to say both happen—and both happen unnecessarily at times, I think it's true to say. But because the system has taken away personal responsibility and accountability on

both sides, it's easy to do, isn't it? It's easy to order people back; it's easy to come. I think simply of the buffet luncheon: You pay your \$3.50 at any Holiday Inn and take twice as much as you would normally ever eat for lunch.

**Mr. Reid:** Speak for yourself.

**Hon. F. S. Miller:** In your case, three times.

**Mr. Reid:** If you weren't running every morning, you'd be a balloon.

**Mr. S. Smith:** That's not an appropriate analogy.

**Hon. F. S. Miller:** All I can say to you is that people and doctors look at the system and say, "It is provided by the state, therefore we should utilize it to the fullest." Okay? The fullest is often—

**Mr. Reid:** Come off it. It is the doctors who should be policing the system.

**Hon. F. S. Miller:** I mustn't reply to any interjections. I mustn't reply to any interjections.

**Mr. S. Smith:** Do you hear another voice behind you, Frank?

**Hon. F. S. Miller:** That's the toughest stretch of my willpower I've had since I became minister.

I certainly agree I do not like profile testing. I can tell you the steps to rectify that in a regulatory sense are already in motion. Certainly the kinds of relationships that were alleged by the member for High Park-Swansea and by you to be occurring—and I believe were occurring, whether they were low rental rates or high rental rates depending upon the lessee or the lessor—are now going to be covered as conflicts of interest under section 27, I believe it is, of the regulations of the College of Physicians and Surgeons, on the assumption that their counsel approved the draft I see them working on at the present moment.

You know, I think they are taking very responsible action. I think they have been shocked by some of the things they have seen—just as the labs have. The great bulk of the people are honest, and they really want to see the system made tight enough so that people bending the rules have something to lose—their licence, a fine, court; whatever it may be. I think we would all agree that kind of approach should be taken.

But the way I would like to control unnecessary surgery, unnecessary cost, unnecessary tests, is in slightly other ways. First, it is proportional to the number of physicians; therefore control the number of physicians. At least for the last few years 50 per cent of the physicians being registered by the college came from outside of Ontario or outside of Canada in many instances. I am very encouraged that the steps we have taken in the last while has cut that down dramatically.

I think I have the figures here just for fun. During the latter half of 1975, the licensing of medical immigrants in Ontario was held to 49 physicians. Now that's a dramatic change. That is not because we have not appreciated immigrant physicians when we needed them. It is because we now are refusing to let them go to a place unless they are needed—to help the north, for example—or come in unless their specialty is in short supply.

I feel that step one, taken almost a year ago now, is working well. It took until July, roughly, to get the federal government and ourselves clear of details that had to be worked out. It is a good example of federal-provincial co-operation in its best form, I think.

The second area, of course, was elective surgery, which is often the unnecessary surgery. It is most often performed if there is easy access to operating facilities and easy access to beds. Is that a fair statement? Well, I've got one doctor indicating yes and one doctor saying no.

**Mr. S. Smith:** That's not entirely fair.

**Hon. F. S. Miller:** All right. I am sure, as a physician, you can tell me where I am wrong. But most certainly the ability to ignore your fellow doctors' improper admission and improper procedural steps is easy if it isn't hurting your practice of medicine with the people that you personally believe need admission and treatment. Now as long as you got yours in and he got twice as many in, you'll grumble. The day you can't get yours in when they need to get in and he's still got his in, who shouldn't be there, you'll act. That's where the kinds of committees you talk about are effective and will be encouraged; but they also require one real control upon them, the need to operate and act. They don't act until we have tailored the number of active treatment beds to equate roughly to need. That was the basic reason behind the closures of beds in this province; to tailor them to the need of the people so that those in there wouldn't be colecystectomies that shouldn't be in. When you read



off that list I've only got 'about two to go, and one I am not eligible for.

Mr. S. Smith: Prostatectomy.

Mr. Moffatt: Tell us which one.

Mr. Breithaupt: Perhaps we can go back and have a second chance.

Mr. Warner: Ignore the interjections.

Hon. F. S. Miller: I guess I should point out—and I did the other day when you were absent—that 80 per cent of the savings made in this last round in dollars and in beds were not made in rural Ontario but in cities. I just want to point out that the inconsistencies you have accused me of sometimes pop up in the emanations from you. It says here:

The Ontario Liberal leader Stuart Smith praised the provincial government Friday for ordering the closing of 1,218 hospital beds and the layoff of thousands of hospital workers. He said the \$29.2 million in budget cuts, "will force the hospitals to operate more efficiently and more cost consciously. I congratulate the minister because it has taken a lot of courage. He certainly has my support in making these cost reductions."

I don't know whether you said that—

Mr. S. Smith: I did.

Hon. F. S. Miller: —but the Ottawa Citizen, dated Feb. 28, 1976, says you did. Later in the day, the Toronto Star, dated Feb. 28, 1976, quoted you at another time and another place as saying: "It was not only a pointless but a cruel exercise." Then, just a little later, on March 9, on an open-line radio show on CFPL London, you said: "If you get us in this year, we would, in fact, reopen the hospitals."

Mr. S. Smith: On a point of privilege.

Mr. Chairman: Will the hon. member state his point of privilege.

Mr. S. Smith: That is exactly the point that seems to have been perhaps badly put so that people were not able to get the difference. I would have thought the difference is elementary, but it does seem as though there has been a problem.

Interjection.

Mr. S. Smith: This statement attributed to me I definitely did make. When I congratulated the minister it was on the subject of his phase two.

Mr. Lawlor: That's merely an expression, not a point of privilege.

Mr. S. Smith: In point of fact, I did approve of the fact that he was cutting back beds, but I never approved the closing of hospitals. That is what is a pointless and cruel exercise. The closing of small rural hospitals was pointless and cruel. The cutting back of beds I approved of and I congratulated him for; his cutting of budgets in the large cities and the way he did it I congratulated him for.

Mr. Grossman: Like Doctors Hospital?

Mr. S. Smith: But certainly not the closing of the small rural hospitals. I definitely opposed him on the hospital closures, those which served rural or ethnic communities; my exact words.

Mr. Chairman: We seem to have strayed a little bit from this vote. I'm wondering if the hon. minister might return to the health insurance programme.

Hon. F. S. Miller: I'm not quite finished yet. I sat down to let him have his point of privilege. I will have a few more quotes to make from time to time, because I think they are appropriate. I do appreciate the ones when you support me.

Mr. S. Smith: You damn well should appreciate them, but I'm against the way you closed those town hospitals. You didn't have to do that.

Mr. Chairman: Order please.

Hon. F. S. Miller: What did you say in Chesley?

Mr. S. Smith: I wasn't in Chesley.

Hon. F. S. Miller: What did you say to Chesley then?

Mr. Chairman: Order please. I wonder if we could return to health insurance, item 1.

Hon. F. S. Miller: We discussed the provincial health labs for a while and you questioned the saving in North Bay. I can appreciate both the lack of understanding and the unwillingness to understand how we saved \$167,000 per year net in the closure of the North Bay lab. The figures are here. I don't want to read them into the record. I'm quite happy to have you look at them if you will, but I am totally satisfied that the arithmetic is sound.

I only have to say to you, whether it is North Bay at \$167,000 or Kenora at only

\$12,700 net, I have one basic question: When is a saving justified and when is it not? When should I or shouldn't I do things?

For example, in North Bay, some reference was made to the kidney function testing going on in the community. It's a great programme; it should continue. But you know, it doesn't require the lab to be in North Bay; and if, in fact, the lab in Orillia can do it without extra staff—and I understood they could—and it takes one day extra for those samples to go back and forth at the very most, then I would suggest to you that no harm has been done to the patient who is being screened for a possible problem—a person who, had there not been a programme at all, wouldn't have been screened at all; a person who in almost any other community in Ontario isn't being screened—and that the delay is justified in terms of relative costs.

[12:30]

The kinds of things our provincial labs did are not of the staff type, you know that. There aren't, in the main, doctors waiting for a decision to proceed with the diagnosis of a patient on an urgent basis. Those are usually done in the hospitals. One of the reasons that North Bay gradually could be replaced was that the hospitals had gained much more proficiency and capacity in the very tests that our lab in North Bay did at one time.

He then went on to say that I dashed off and was influenced by a female administrator. I almost stood up on a point of privilege then because I thought I was being slandered. Then I stopped and wondered what kind he was affected by.

As for dental services; yes, you are quite correct. We are cutting out a number of the benefits under the OHIP plan for dental services. These have been discussed at considerable length with the Ontario Dental Association and, in fact, while I don't know that I have their unqualified blessing, they feel that a number of the moves were justifiable in the interest of good dental decision-making.

We have tried to keep access open for those people who need a hospital on the basis of medical need. We are working on ways and means of making sure that the dentist, either before or after a procedure, depending upon its urgency, will have some right to point out that a particular patient, be it a retarded child, a very young child or a person injured in an accident, would have the right to have certain coverages through the OHIP plan—not for the dental part of it but for the hospital part of the coverage while the procedures were being performed. I think you

will find that the changes, once they are finally regularized, will be fair. That's really all I have to say on that one, Mr. Chairman.

**Mr. Swart:** Mr. Chairman, I am going to try to finish my remarks by 1 o'clock. It may not be possible, but I will try. I think perhaps first of all—

**Hon. F. S. Miller:** Mr. Chairman, if I am absent for a second, there is no disrespect; I have to go out for a second. Okay?

**Mr. Swart:** We will carry on. Just before the leader of the third party leaves, I would just like to say very kindly to him if I could—and he really should know this—that he does not really need to make contradictory statements himself. He has got a caucus that will do it for him.

**Mr. S. Smith:** I shouldn't have bothered showing you the respect of staying.

**Mr. Swart:** Mr. Chairman, I want to deal primarily with the matter of the closing of the health labs. I will try to confine myself to the vote we have before us, but I want to discuss the public lab closings within the parameters of the general cutbacks, whether they are hospitals, municipal social services or whatever they may be.

Up to the time of the revelations of my colleague the member for High Park-Swansea, the matter of public lab closings certainly was not as dramatic as hospitals, was not as serious to the public, I guess, as the social services and did not have as widespread an impact as the increase in taxes that is going to take place in the municipal field. But I say that the closing of the public health labs, and what is happening in the private health lab field, more than anything else gives us an insight into the irresponsibility of the ministry and, for that matter, the government of this province. It is irresponsible, what is happening. What is happening in the private health labs is their responsibility because they haven't policed the system. It is fiscal irresponsibility on the part of the government, and I think it gives us an insight into the dominant motives of what the government is doing in the field of cutbacks.

I suggest there are two dominant motives in what is taking place. The first has been stated a number of times, I think, and it is the posturing the government is doing about restraints, primarily for political reasons, to appear tough before the public, to imply that they are going to watch their tax dollars.

The second motive, I suggest, is a real attempt to destroy efficient public institutions



and to let the provision of services revert back to the private sector at a greater cost to the public.

Just two examples: The relationship of the closing of hospitals and the cutbacks to homes for the aged—where many nursing services are provided—to a decision to not make any cutbacks to private nursing homes, even though it can be documented all over this province that the private nursing homes too, to a very substantial degree, are ripping off the government and the taxpayer. It's documented by the director of the homes for the aged in the Niagara Peninsula that the nursing patients who need heavy care are being refused by the private institutions and are going to the nursing care section of the homes for the aged. The private nursing homes can make more profit, of course, from those patients who don't need heavy care.

The second example, of course, of the motive, is what is being done to the public health labs, where the government is shutting down the public health labs, or a substantial number of them. But in the period of time when the cost of the private labs has gone up from \$20.5 million to \$80 million or whatever the figure is—probably \$88 million—the cost of the public labs has only gone up from \$7.5 million to \$12.5 million.

I say they are doing this simply to carry out the motives which I have mentioned and without any studies being done to substantiate closing these public labs.

The ministry simply doesn't have any statistics, in spite of what was just said about North Bay, to prove there is going to be a financial saving with the closing of the public labs. I refer specifically now to the public lab in St. Catharines.

The regional council of Niagara asked for figures on Feb. 5 to justify the closing down of the public lab there; it has not yet got them. Figures were promised to the Niagara regional health unit, when it objected to the closing down of the public lab, to justify it. They have not been provided. The union, OPSEU, has been trying to get figures ever since the announcements were made on Dec. 18 and it has not been able to get the figures to justify the closing.

I sent a telegram to the minister on Feb. 13 asking for those detailed figures. I followed it up with a letter two days later and a further letter on Feb. 20. I have not yet received the figures to justify the closing down of that lab.

I say to you the very vague statistics they provided at the beginning and supplemented

a little bit later are wrong. They are not accurate; they are full of inaccuracies and full of mis-statements.

I have a letter here which I received in reply to my telegram; that's the size of the letter. I asked for detailed figures and that's the size of the letter I got back. That letter says that over 90 per cent of the St. Catharines' laboratory workload is made up of serology tests and water and milk testing.

I also have here a printout from OHIP, from the Ministry of Health, which shows that the figure is 75.8 per cent, not over 90 per cent. If we look at that in reverse the minister is saying there is no clinical testing being done, or less than 10 per cent of clinical testing is being done by that lab. The printout showed that it's 24 per cent, the other tests that are being done down there. That's an error of 150 per cent. And do you know who that letter is signed by? It is signed by the man who is coming back to his seat now, the hon. Minister of Health. He has signed the letter which, by the ministry's own figures, is out by 150 per cent.

Of course, the contradiction was in the letters that were sent to the Woodstock lab, where there are four different sets of statistical information for the varied numbers of people who were going to be effected. One letter and one memo was contradictory to the next one.

That letter I got from the minister said there was going to be a saving of something like \$56,000 in closing down the St. Catharines public health lab, which of course serves the whole Niagara Peninsula. In fact, on Feb. 20, the Ministry of Health published a little further statement giving a few statistics on what would happen and the savings that would accrue from the closing down of that lab. I read this to you under the budget items:

An estimated \$56,000 saving would be realized by the laboratory closure. Staff salaries for five employees account for a saving of \$55,000.

They have seven employees there now.

An additional saving of \$11,000 will be realized from reduced rental payments. Courier service will cost an estimated \$10,000, making a total saving of \$56,000 annually.

Let me tell you, the cost this year in the budget for that lab, or the amount to be spent, is \$106,000; and they're going to save \$50,000 of that. Let me deal with some of these figures for just a minute. It says there will be an additional saving of \$11,000 from reduced rental payments.

You know where the lab is located; it's located in a part of the Shaver hospital. They pay a rent of something in excess of \$10,000. But do you know where that rent goes? It goes to the Ministry of Health. So they're going to save \$11,000 because they don't pay \$11,000 to the Ministry of Health. Of course, it is no saving whatsoever in rent when you're going to lose \$11,000 income and pay out \$11,000 less. I don't look upon that as a saving.

He mentions the courier service will cost \$10,000. I wonder if the minister knows that they have tried six different places, as of two days ago, to get a courier service to go to Hamilton, and that the cheapest offer they have got is \$14,000; not \$10,000 but \$14,000. Perhaps that is because there was another mistake made in this memo. At the top it says the St. Catharines public health laboratory is 35 miles from Hamilton; actually it is 45 miles from the health laboratory in Hamilton. That is also an error of about 30 per cent in the statistics in this letter.

But that isn't all, because the OPSEU has computed the cost of doing the tests which will be farmed out. This appears to be less than 10 per cent, and in fact is 24 per cent. The cost of those will be some \$26,028 according to the fee paid by OHIP. That \$26,000 isn't going to be saved. It doesn't mention that in the letter, they are going to pay for those costs. However, if you add up the \$4,000, \$11,000, \$26,000, that's over \$40,000 of the \$56,000 that isn't going to be saved. By any yardstick it isn't going to be saved, Mr. Minister.

And do you know what? That still leaves 75 per cent of all the tests to be done in Hamilton. How are you going to pay for those out of that other \$16,000 saving?

[12:45]

It is just ludicrous, this report—the savings are simply not there. There are, in fact, no savings in the closing of that lab; it is, in fact, going to be more costly. And, I am sure, Mr. Minister, that you have seen the figures put out by OPSEU at the Woodstock lab. I have not seen the cost of the tests there related to what OHIP pay refuted in any way.

In fact, the cost of the tests there is substantially cheaper than what you are paying for them from private labs. In fact, the total costs in the Woodstock lab for your chemistry tests, your microbiology tests, your haematology tests, are \$212,389.76. That is what it is costing the public at the present time. If you farm them out the OHIP payments would be \$313,295.72, or almost 50 per cent more, for making those tests in a private lab.

And, of course, the same sort of thing holds true in the St. Catharines area. Do you know that the Hamilton lab at the present time, according to DBS, has an output of something like 153.9 per cent of the normal output by BPS? St. Catharines is one of the highest producers in the province. It has an output of something over 160 per cent per employee compared with normal output. And yet we are going to close the St. Catharines lab down.

You may think, Mr. Minister, and your government may think, that because you are going to have somewhat bigger labs they may operate more cheaply. Whether it's hospitals or anything else that seems to be a philosophy of your government. Those of us who have had some experience over the years with regional government know that the bigger they get doesn't mean that it costs less to the taxpayer and I suggest the same is true in the field of public health labs.

I don't need to document here the impossibility of policing the private labs. At least, it must be impossible because with the years your government has been in power and the obvious ripoffs that are taking place in certain areas with the private labs—the increases in payments—means that you must not be able to police them, or else you don't care. I suppose there aren't really many alternatives to come to but those.

I would like to quote, just to back up what the member for High Park-Swansea (Mr. Ziemba) has said, what the Ontario Association of Medical Laboratories said in a letter to your deputy minister on Jan. 27, expressing their concern about it. I think it's fair to point out, Mr. Minister, that their concern is like your concern; it became a concern after Dec. 18. It wasn't a concern of the association or of your ministry six months ago or a year ago. It became a concern when investigations started because you are going to close down the public labs and you were making comparisons between the public and the private labs. They say themselves—and I think this is perhaps somewhat amusing—that an advisory committee comprised of representation from the Ontario Medical Health Association, section of laboratory medicine, the Ministry of Health and the Ontario Association of Medical Laboratories should be formed immediately to recommend and assist the Ministry of Health with the implementation of policy. Those three groups are the three groups that are involved now. Those are the three groups that have permitted what is taking place to take place, and this is the way they want the policing.



But they make some admissions here too. They suggest that the advisory committee set up a mechanism whereby licensed independent laboratories are audited for billing procedures.

That's a very admirable thing. It says: "Such audits should show that the tests billed are actually ordered and performed." Do you think there is some suspicion with them, perhaps, by that time, that this wasn't being done? It goes on:

The Ontario Medical Association should be encouraged to advise physicians on the changing practice of laboratory medicine, including procedures that may now be redundant and the need to exercise care in ordering laboratory procedures. This should be timed to coincide with the elimination of profiles from laboratory requisition.

Again I point out that they want this policing committee to be the same three groups that are involved in the situation that exists today.

It looks as though their concern and your concern, as I say, started after the investigation started. Your government surely must have had some reason to investigate the situation prior to this time, what with the increases taking place. I sat on a municipal council for many years and any rookie councillor who came onto that council, in the very first time he was going over the budget would have picked out something like this as a thing that needs to be investigated, when it is the single biggest increase in the expenditures of that department. You even had the legislation passed to police it, and I can give you quotes from the deputy minister and yourself when you were asked what happened in the area of lab ownership and the payment after the legislation was introduced back in 1972. "I am inclined to think nothing," the Deputy Minister of Health said. And you are quoted as saying: "I can't answer you, or guess or say this did or this did not happen." Is that good enough for the government of this province, that they give that kind of an answer after legislation was passed three years before?

Yet it must have been perfectly obvious that increase in payments to the private health labs was excessive. We are talking here about savings, savings in an amount that should eliminate the need to cut the hospitals back; savings which could be made from the private labs. One of the most respected people in the Niagara area, the other night at the Ontario Mental Health Association—and I am sure the Minister of Culture and Recreation (Mr. Welch) knows him, Dick Thornton, who is

now the director of the health council—made this statement. I wrote it down, almost word for word:

We, the Health Council, have been examining the private health labs for six months and we are convinced that we should persuade the doctors to direct the tests back into the hospital labs and we'd get it done at half the cost.

That is what a respected—and I may not be using this term politically but I may also be using it politically—conservative man who has been involved in the hospital field, and a man who is concerned about public expenditures, had to say publicly in Niagara Falls when my leader was there.

Let me also read to you some comments from Dr. J. N. Burkholder, who is the medical officer of health for the Niagara region. This is the point I was coming to—and I think I will conclude by 1 o'clock—and this was his analysis of closing down the lab:

In essence, then, I think that the burden of proof is on the Ministry of Health to show that closing our laboratory will result in any substantial saving or, even more, saving of the entire cost of operation. I want to stress that we, in the health unit, have a high regard for the quality of work and reliability and communication provided by this laboratory. A few years ago, a proposal was made [and I could elaborate on this] to strengthen the work of this laboratory, but the proposal was not allowed to materialize. Meanwhile, as you may be aware, the private enterprise laboratories have enjoyed a fantastic growth rate at the expense of the taxpayer.

Again, from the medical officer of health in the Niagara region.

**Mr. Warner:** Right. Do something about it.

**Mr. Swart:** I say to you the responsibility for this mess lies squarely with you. I'm for an inquiry too, but I hope that inquiry doesn't take the focus off the government, because they are the ones responsible for allowing this to get to the stage that it is.

You posture that you are trying to save money, as does the Treasurer (Mr. McKeough). You have the dramatic and highly visual road show put on by you and the Treasurer and the Minister of Community and Social Services (Mr. Taylor) going around saving all these huge sums of money. You posture as competent business people who are the only ones to be trusted to run this province.

**Mr. Reid:** Sounds like a set piece doesn't it?

**Mr. Swart:** Right. But the real situation is that you've made cuts in the wrong places. You've made cuts without any meaningful investigation. The cursory facts you've produced are wrong; you haven't even tried to implement even the minor safeguards that you thought were necessary when you passed the bill back in 1972. Any thorough study will show conclusively that the public labs should be left open and expanded, for economic reasons, if you want to save money for the public of this province.

In fact, I say your conduct of business, your government's conduct of business in this regard, is deplorable. How you can posture as competent business people is beyond me. The \$2 billion deficit this government had last year is—

**Hon. F. S. Miller:** Look at B.C.

**Mr. Swart:** Yes. It's greater per capita than BC.

**Hon. F. S. Miller:** We predicted ours.

**Mr. Swart:** That's perhaps even worse, when you plan for it!

**Hon. F. S. Miller:** It isn't.

**Mr. Swart:** It is the greatest deficit per capita that any province in this nation has ever had and you posture as competent business people.

Now on these so-called cutbacks: Either one of two things is the case—and you must admit this. You've either allowed and promoted tremendous overspending and overbuilding and overstaffing in the hospitals up to this time; or you are wrong now. It has to be one or the other.

**Mr. Chairman:** I'm wondering if the hon. member could come to a point where he could conclude his debate.

**Mr. Swart:** I will be finished in three minutes if I may have that time.

**Mr. Chairman:** I think it is 1 o'clock now and normally the committee should rise and report.

**Mr. Swart:** Fine then, Mr. Chairman, I will conclude my remarks on Monday.

**Hon. Mr. Welch** moved the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Welch:** Mr. Speaker, before moving the adjournment, may I indicate our programme for next week. We sit on Monday, Tuesday, Wednesday and Thursday next week; and of those four days, on three of them we sit in the evening—Monday, Tuesday and Thursday.

On Monday we have the contribution of the Leader of the Official Opposition (Mr. Lewis) to the Throne Speech debate, followed by the consideration of supplementary estimates for the balance of that afternoon and Monday evening.

Tuesday, the leader of the Liberal Party will enter the Throne Speech debate, following which we will have supplementary estimates and we will adjourn at 6. Sorry, that's Tuesday evening; on Tuesday evening we sit.

On Wednesday the Premier (Mr. Davis) will be involved in the Throne Speech debate and we will adjourn at 6.

On Thursday we will have supplementary estimates until 10:30 p.m. The hope is that we will complete the supplementary estimates both here and in the estimates committee by Thursday and also the motion for interim supply. We will rise on Thursday evening to take advantage of the mid-term break the following week.

Are there any questions about next week's programme?

**Mr. Renwick:** Extremely lucid.

**Hon. Mr. Welch** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 p.m.



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No. 10



Ontario. Legislative Assembly

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Monday, March 15, 1976

Afternoon Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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MONDAY, MARCH 15, 1976

The House met at 2 p.m.

Prayers.

**Mr. Speaker:** Statements by the ministry.

## OHC LAND ACQUISITION

**Hon. Mr. Rhodes:** Mr. Speaker on Friday last, the hon. Leader of the Opposition (Mr. Lewis) asked a question of me concerning the acquisition of land in Gloucester township, near Ottawa. I would like to respond to that question by a statement today. As the hon. members—

**Mr. Singer:** Didn't you say that you had already responded or your predecessor had?

**Mr. Speaker:** Order, please. The hon. minister has a statement to make.

**Mr. Singer:** Yes, that is exactly what you said.

**Hon. Mr. Rhodes:** Mr. Speaker, I must respond to the interjection from somewhere on the other side of the House—

**Mr. Deans:** You don't have to.

**Hon. Mr. Rhodes:** —that I did not state that I had responded to the question. I had said that the information had been tabled in this Legislature last May, and that information is correct.

**Mr. Nixon:** Now some additional information is available!

**Hon. Mr. Rhodes:** As the hon. members are aware, the Carlsbad Springs land assembly in Gloucester township, southeast of Ottawa, has been discussed in the Legislature and the previous Housing Minister tabled the pertinent details last spring, partially on May 16 and partially on May 27. However, as I am a relative newcomer to this ministry and because of the 20-20 hindsight a number of people have developed as a result of the judge's remarks, perhaps the hon. members will allow me to review the matter.

**Mr. Singer:** Isn't that awful!

**Mr. Nixon:** Don't criticize the judge.

**Hon. Mr. Rhodes:** It was my understanding that in the spring of 1972, Ontario Housing Corp. identified the Carlsbad Springs site, about 10 miles from downtown Ottawa, as a potential growth centre. Approval was given for the assembly of 1,500 acres at a cost not to exceed \$1,200 per acre, a price level that had been recommended by senior OHC land staff following an examination of real estate price levels in the area.

The acquisitions were negotiated on behalf of OHC by the Ottawa staff of A. E. LePage Ltd., and by late summer the firm had optioned about 1,500 acres at approximately \$1,000 per acre. In the course of reviewing OHC's land assembly proposals for financing purposes, Central Mortgage and Housing Corp. became aware of the Carlsbad Springs assembly. Central Mortgage and Housing recommended the expansion of the assembly to 5,000 acres and indicated a willingness to participate in the land purchase.

The National Capital Commission also endorsed the concept and committed itself to the acquisition of 4,000 additional acres around the site for greenbelt purposes.

A steering committee, which eventually included representatives of OHC, CMHC, the National Capital Commission, the federal Ministry of State for Urban Affairs, the regional and township municipalities, was formed to make decisions on the land assembly and its subsequent planning. The original committee met for the first time in September, 1972.

The steering committee continued to use the real estate firm to obtain the land through private negotiation with individual owners because the process was in place and producing the desired results. Critics claim the remaining lands should have been expropriated, but this route was not used because of the many obstacles posed by provincial expropriation legislation.

**Mr. Singer:** Such as?

**Hon. Mr. Rhodes:** One of the major difficulties would have been in proving a specific need for the land—remember, it had been identified only as a potential growth site.

**Mr. Singer:** Didn't stop you in Milton or anywhere else. Awful.

**Hon. Mr. Rhodes:** Because of the increased size of the development and the increased activity in the area, land prices rose. As resistance grew, it became necessary for the steering committee—which included the representatives of the various groups I have previously mentioned—to review the negotiations and to authorize price limit increases.

From the \$1,200 initial ceiling to a \$1,500 to \$1,700 range, the committee's approved limit finally settled at the \$2,000 per acre level. In only five of the 77 transactions was it necessary to exceed that limit, and then only by minimal amounts. Including the original OHC assembly, the partnership, when activity ceased in 1974, had acquired 5,518 acres at an average price of \$1,486 per acre, for a total cost of \$8,201,672.

I have already touched on the difficulties of expropriating land under provincial legislation. It is a process the Ontario government does not invoke lightly. Because of the safeguards provided for the owner under expropriation—

**Mr. Singer:** No matter what it might cost.

**Hon. Mr. Rhodes:** —it is not necessarily a less expensive way of acquiring land.

For those who would point to the lower prices awarded in the National Capital Commission expropriation judgement, which touched off criticism of our technique, I remind them that the partnership bought land for development purposes. The National Capital Commission, with wider powers of expropriation, is acquiring greenbelt land which has a lower market value.

Finally, I would add only that it was recognized there was a potential for paying higher prices towards the end of assembly because of strategic location or the quality of the holdings. The decision to proceed on individual purchases—

**Mr. Singer:** The word was out.

**Hon. Mr. Rhodes:** —was based on the best judgement of the time, and it resulted in a successful assembly.

**Mr. Singer:** Shame. You should be really ashamed to read that table of wanton neglect in this House.

**Mr. Speaker:** Oral questions.

## OHC LAND ACQUISITION

**Mr. Deans:** I have a question for the Minister of Housing flowing from his statement. Does the minister recognize that in most cases where there is massive purchasing taking place, that the smallest, the weakest of the community are the ones who are approached first and who get the least; and that the largest, developers and otherwise, who assemble land are those who hold out to the end because of the advice that they're being given? Doesn't the minister feel that a more appropriate policy ought to be developed and brought into the Legislature for the purposes of ensuring that the individual land holder, the smaller, individual land holder, is protected against the loss of revenue as a result of the government's activities?

**Hon. Mr. Rhodes:** Mr. Speaker, I don't believe that we can state that all of the land that was acquired from the very beginning was only in small land holdings. I do not have with me the breakdown of the exact purchases. That is available—I can get it. I believe it was, in fact, tabled in the House, and would indicate that there were varying sizes of parcels of land bought—from large holdings to small—at the very beginning. It appears to me, from the information that I've been able to gather, that one of the major problems was that so many different agencies became involved, that it became public knowledge that the land was being purchased for development purposes and the prices went up. That's what happened.

**Mr. Singer:** Supplementary, Mr. Speaker: In view of the minister's off-the-cuff remark—it wasn't in here—about 20-20 hindsight, how is it in his statement he didn't deal with the comments of Mr. Justice Addy and the very serious criticism? And wouldn't it occur to the minister, in view of the South Milton incident and this one, that by now Ontario Housing should have some realistic programme of acquiring land which was fair to the taxpayers of Ontario?

**Hon. Mr. Rhodes:** First of all, Mr. Speaker, let me say that the reference to 20-20 hindsight was not a reference to the judge, but reference to comments made by others since.

**Mr. Singer:** Or before?

**Hon. Mr. Rhodes:** Secondly, the hon. member knows full well that one does not stand in any public forum these days and make any comment about the statements made by judges—

**Mr. Singer:** Oh, nonsense, nonsense.



**Hon. Mr. Handleman:** Unless he has a friend up in Sussex Dr.

**Mr. Cassidy:** Supplementary, Mr. Speaker: Do I understand from the minister that he is saying that when the land was bought by OHC it didn't know what he was going to do with it and that's why it couldn't use expropriation? Doesn't that sound more like an excuse after the fact?

**Hon. Mr. Rhodes:** Mr. Speaker, the Ontario Housing Corp. knew full well what they had planned to do with the property. As I said in the statement, it was as a potential development site and a potential growth centre. Under the Expropriation Act—and I'm sure the hon. member is familiar with it—if there is a question as to a hearing of necessity under the Expropriation Act, one may very well might not be able to expropriate unless he can say that that particular land was to be needed immediately. It was looked upon as a potential site.

**Mr. Singer:** Oh, you don't have to say that at all.

**Mr. Cassidy:** Does the minister not think that the legislation should be examined in order to ensure that when a large assembly like this is being made the first vendors are treated equally with the people who sell at the very end, rather than having some people paid \$700 or \$800 an acre while others who had the wisdom, foresight and business acumen and probably were not long-time holders, get \$2,000 an acre or more?

**Mr. Speaker:** Order please. The hon. member has asked his question.

**Hon. Mr. Rhodes:** Mr. Speaker, I don't know what Act he would be referring to, because if one is negotiating the purchase of the land, one goes in and negotiates with the owner and one pays what the willing seller is prepared to offer to the willing buyer. What Act is involved I don't know. We're not dealing with the Expropriation Act in that particular case.

## AUTO INSURANCE RATES

**Mr. Deans:** Mr. Speaker, I have a question of the Premier. At what point in the history of the province does the Premier feel he might be prepared to intervene on behalf of the consumers who are being ripped off by the insurance companies—auto insurance companies in particular—and provide for them the kinds of savings that he is at least attributed

to have said ought to be there? This is a speech that he made over the weekend.

**Hon. Mr. Davis:** Mr. Speaker, I didn't say the savings that ought to be there. In fact, I think I made it fairly clear that we were very encouraged by the statistics, basically from Metro, in the first two months of the—well, the Act actually wasn't in operation. The speed limits were actually not in force, but I think people were starting to abide by the legislation as it was to be proclaimed, and by the speed limits.

I indicated then, in response to a question—I can't give the exact question—on whether or not this would have an effect on insurance rates, I offered the opinion, not being an expert in the industry, that if these figures were to continue obviously it would have some impact. Whether that impact would reflect itself in a stabilization of rates, or even potentially a reduction in rates at some point in time, I am not qualified to comment. I did make it clear that while we were encouraged, it is still a little bit premature to start making judgements on the basis of the statistics from a two-month period.

I would also say, in reply to the question, that as a government we are obviously concerned about what consumers pay for insurance, but I'm also quite prepared to say in this House that the experience in this province is going to be that it's going to remain in the private sector, unlike the experience they had in British Columbia, where everybody was being ripped off.

**Mr. Deans:** Supplementary: I wouldn't have doubted that the Premier would want them to get the ripoff. What I'm interested in knowing is, at what point does he propose to ensure that the public of Ontario are not paying more for insurance than the actual incidence of accidents would require them to be paying? Is he going to take steps to ensure that the rates that are being charged are commensurate with the costs of insuring automobile drivers in the Province of Ontario, and if so, how and when?

**Hon. Mr. Davis:** Mr. Speaker, I think the industry has functioned relatively well in this province.

**Hon. Mr. Handleman:** Not like in BC.

**Hon. Mr. Davis:** We are not planning it, though I know the member for Wentworth—and it is part of their philosophy—as part of his policy, would have a totally state-controlled insurance system. I have to say

that this government does not plan a state-run or controlled insurance industry.

[2:15]

**Mr. Singer:** Mr. Speaker, I wonder if the Premier would advise us if he is prepared to have his appropriate minister proclaim the sections in the Insurance Act, which have stood unproclaimed for maybe 35 years or more, which would allow the government to control insurance rates without taking over the industry?

**Hon. Mr. Davis:** Mr. Speaker, I think the member for Wilson Heights has asked that question of the appropriate minister on one or two occasions in this House, if memory serves me correctly. I don't think his answer has changed.

**Mr. Singer:** How about yours?

**Hon. Mr. Davis:** If he would like to direct the question to the hon. minister, I'm sure he would be delighted. My answer hasn't changed.

**Mr. Speaker:** Are there any further questions? The member for Wentworth.

#### RENT REVIEW PROGRAMME

**Mr. Deans:** Yes, I have a question of the Minister of Consumer and Commercial Relations. Does the minister think that the statements of his parliamentary assistant have contributed anything to the ongoing debate over the protection of the tenants in the landlord-tenant disputes that are currently going on? Secondly, is the minister aware that many of those spokesmen for the tenant review boards, or the landlord review boards—rental review boards—are giving out misinformation with regard to whether or not tenants ought to or ought not to pay the rents that are being asked of them which exceed the eight per cent?

**Hon. Mr. Handleman:** Mr. Speaker, I don't know what comments of my parliamentary assistant are being referred to by the hon. member. I know he's been very helpful in implementing the programme of rent review. He has been a very good spokesman for our ministry in dealing with this matter.

**Mr. Deans:** He hasn't been.

**Hon. Mr. Handleman:** As far as the information being given out by rent review officers is concerned, I have met this morning with the executive director of the rent review programme. We are issuing instructions to

them to obtain some kind of uniformity in their interpretation of the law. We also want to inform them that there is such a thing as an information, under which offences can be dealt with; and also that information officers who are employed by our ministry in each of the rent review offices will be fully instructed as to the interpretation of our ministry of the Act.

**Mr. Deans:** A further supplementary question: Is the minister prepared, on receiving information on landlords who are either not paying rebates or are demanding additional amounts over and above the eight per cent, to proceed on behalf of the tenants—as the parliamentary assistant indicated the minister would—and to lay the charges yourselves and to take those people to court and to recover for the tenants the amount that they have been required to pay, and to protect them along the way?

**Hon. Mr. Handleman:** Mr. Speaker, I lost track after the first five questions.

**Mr. Deans:** You lost track?

**Hon. Mr. Handleman:** We are certainly prepared to take action in the case of offences under the Act. That would be the same as any other offence under any other Act. I'm sure the hon. member would not have a rent review officer act as a judge out of any concern for civil rights. That's not his job. His job is to review the rent. His job, if necessary, is to provide the Crown attorney with the proper information which will enable the Crown attorney to lay a charge. Under the charge there is a fine. The legislation does not provide for the recovery of the rebate by either the rent review officer or the court.

**Mr. Deans:** Or the tenant.

**Hon. Mr. Handleman:** However, in the view of the ministry, if the courts levy a fine—which means that the landlord is guilty of an offence—it would be a very simple matter for the tenant to go to the small claims court and ask for a rebate. There is also the other method, which we are suggesting to them, and that is simply to withhold the amount of the rebate from future rents.

**Mr. Deans:** A supplementary question: Will the minister then protect the tenant in the event that they are taken to court with that advice—that they should withhold the amount?

**Hon. Mr. Handleman:** Mr. Speaker, if the landlord is found guilty of an offence under



the rent review legislation, I find it very difficult to believe that he would have any kind of counsel that would advise him to take the tenant to court, after having been found guilty of an offence.

**Mr. Cassidy:** You are tying it all up in legal red tape again.

**Mr. Speaker:** Does the member for Wentworth have any further questions?

**Mr. Wildman:** Mr. Speaker, a supplementary.

**Mr. Speaker:** One final supplementary.

**Mr. Wildman:** In the light of those statements, would the minister be willing to advise the Minister of Government Services (Mrs. Scrivener) to discontinue the policy of breaking rent review laws by charging government employees renting government housing throughout the north rent increases of 40 per cent or more by payroll deduction?

**Mr. Speaker:** Order, please. That is not a supplementary to the original question.

**Mr. Cassidy:** That was a good question.

#### PAYMENTS TO GODERICH DOCTOR

**Mr. Deans:** Could I ask the Minister of Health if he would be prepared to have tabled in the Legislature the basis for the decision by what he refers to as senior ministry personnel with regard to the possible conflict of interest, which is reportedly in the auditors' statement in the Goderich Psychiatric Hospital, whereby they decided to try to recover only \$1,000 of some \$73,000 that appears to have been paid improperly to a doctor on staff?

**Hon. F. S. Miller:** Mr. Speaker, I have no idea if the money was paid improperly or not.

**Mr. Deans:** I said, "which appears to be."

**Hon. F. S. Miller:** I understand that they were OHIP billings for services that he rendered. However, I have no reason not to make the information available, providing legal counsel tell me it is in order to do so.

#### PRIVATE LABORATORIES

**Mr. S. Smith:** A question of the Minister of Health. Can the minister tell us how many reports he has received from within his ministry during the past five or six years warning of the potential for abuse in the private labora-

tory system, given the system of payment that the ministry has adopted?

**Hon. F. S. Miller:** Mr. Speaker, I have been the minister for two years and almost a month. I don't go past that point—

**Mr. Singer:** Are you resigning today?

**Hon. F. S. Miller:** After that amount of time you start counting your days. At least you hope you start counting your days.

**Hon. Mr. Davis:** Don't count on it.

**Mr. Foulds:** I take that as a vote of confidence.

**Hon. F. S. Miller:** That was a threat from the Premier.

**Mr. S. Smith:** There's no need to count them; they're numbered.

**Hon. F. S. Miller:** I am seeing who is clapping.

In any case, I have been aware of the need personally to look into the laboratory matters for upwards of a year and a half, and we have been doing so; in fact, while our actions weren't followed by the press, I can tell the hon. member that we were and are prepared to step in in a number of ways to control rather loose billing practices.

**Mr. S. Smith:** Supplementary: Although the question was obviously not answered—the question was very clear; I am simply repeating it—how many reports has he received from within his ministry warning of the potential for abuse within the private labs, given his ministry's present system of payment, and would he please tell us whether he is prepared to make these reports public and whether these reports contain any suggested alternative methods of payment for private laboratory services?

**Hon. F. S. Miller:** Mr. Speaker, at my request, a report was written. I had it in my hands in December. That report is being acted on now.

**Mr. S. Smith:** Supplementary: Will the minister make that report public so that we can all see what the suggested alternatives have been?

**Hon. F. S. Miller:** Mr. Speaker, once the cabinet has had the opportunity to look at the policy options, they will become known.

#### CANADA PENSION PLAN CHANGES

**Mr. S. Smith:** A question of the Minister of Community and Social Services. Could he

explain to us why Ontario was the only province to withhold support of proposed Canada Pension Plan changes which would have entitled spouses who work at home to be eligible for Canada Pension Plan benefits?

**Hon. Mr. Taylor:** I think the leader of the third party is referring to negotiations that took place in February in Ottawa with the federal Minister of National Health and Welfare and the provincial ministers of welfare or my counterparts.

The position I took in dealing with that particular aspect of the negotiations was that I was concerned about adding another dimension to a number of income supplementation and support programmes that we had. I wasn't convinced that we had a model that would reflect the financial implications of the proposal. There were a number of matters that had to be examined and for that reason, while I didn't veto the proposal, I took the position that I could not support it until we had studied the matter further.

**Mr. S. Smith:** Supplementary: Perhaps I should ask for a translation rather than a supplementary question but—

**Mr. Yakabuski:** I thought you weren't in bed with the feds? I thought you had dissociated yourself from the feds?

**Mr. S. Smith:** —in view of the fact that Ontario by itself can, in fact, veto this legislation and in view of the fact that Ontario was the only province to dissent—

**Mr. Yakabuski:** You are in cahoots with the feds.

**Mr. Speaker:** Order, please.

**Mr. S. Smith:** Could the minister please explain to the House why he thought it would cost us a lot of money if Canada Pension Plan credits earned by spouses during marriage were split equally between the spouses on marriage dissolution? What would be so expensive about that? It's something desired by all the provinces in the country and Ontario singlehandedly vetoed it for reasons nobody can fathom. Would you please explain yourself?

**Hon. Mr. Taylor:** I will simply repeat that it was not vetoed. While Ontario could exercise that power, that was not done because further review was felt necessary, not only by this province. We have, of course, scheduled a new meeting in June at which the matter will be considered again. It wasn't a question of vetoing the proposal but I think you'll

appreciate that there are many problems inherent in that.

It's simplistic to say that we will take the pension plan of one spouse and automatically split that into two which may not be a viable pension for either party. There are also ramifications in terms of the current review of the whole area of family law and family property, what happens on dissolution of a marriage and so on. There are many aspects and ramifications which we felt should be considered before going off and supporting just a straight splitting.

I think the leader of the third party may appreciate that once you split, of course, you have to start building up the half pension so that it becomes viable. There are many inherent problems which we wanted to review.

**Mr. R. S. Smith:** Just admit you didn't understand it. Face up to it.

## GO TRANSIT TERMINALS

**Mr. Williams:** Mr. Speaker, a question of the Minister of Transportation and Communications.

Interjections.

**Mr. Speaker:** Order, please. The hon. member has a question.

**An hon. member:** Don't count on it.

**Mr. Williams:** The Toronto Area Transit Operating Authority issued a statement over the weekend to the effect that GO Transit buses should unload their passengers at suburban subway terminals rather than run into the city in direct competition with the Toronto Transit Commission. This may seem to have some sense but does this mean that the present service from Keswick and Newmarket to Toronto via Woodbine Ave. and the Don Valley Parkway would be terminated prior to or in conjunction with the start-up of the Richmond Hill GO Transit rail service?

**Hon. Mr. Snow:** Mr. Speaker, I can't give an exact answer on that particular bus route. I do know that the chairman and members of the Toronto Area Transit Operating Authority have been having discussions with the TTC to eliminate, if at all possible, any duplication of bus routes when one system is travelling over the same routes as the other.

It is also, of course, our desire to fully utilize the subway system by having the passengers, where possible, utilize the subway system rather than bringing the buses downtown. I've not had an opportunity this morn-



ing to get a full report from the chairman but I will be doing so and I'll report to the member.

### NORWICH UNION INSURANCE

**Mr. Young:** Mr. Speaker, a question of the hon. Minister of Consumer and Commercial Relations: Could the minister inform the House as to what discussions took place between his department and Norwich Union Insurance group, prior to its announcement that it is getting out of the insurance business in Ontario almost immediately? Does his department have any concern, and perhaps some attitude of helpfulness, towards the 300 or so agents who have been tied in closely with the Norwich group and whose relationship is now terminating on Friday of this week, and for the policyholders who are being cut off and whose policies will not be renewed with that company as of May 1?

[2:30]

**Hon. Mr. Handleman:** Mr. Speaker, I think there were three questions there. In answer to the first, I'm not aware of there having been any discussion between Norwich and my ministry but I'd certainly be pleased to ensure that my statement is true.

The answer to the second part of the question is I think I understand Norwich's decision. There was a question asked by the member's colleague earlier today about how we look at insurance rates and Norwich has consistently lost money in this business and has made a business decision to remove itself from the industry. This is still a free province in a free country, where people can cease doing business as well as commence doing business.

As far as the agents are concerned, I am quite sure that other insurance companies will be seeking agents in those areas to fill the vacuum left by Norwich's departure from the field and the same thing will apply to the policyholders—others will be taking up their policies.

I can assure all members of the House that if anybody has difficulty, either a former Norwich customer or otherwise, in obtaining coverage, that our department of insurance is always prepared to assist in placing insurance.

**Mr. Speaker:** A supplementary question.

**Mr. Young:** Well, a supplementary to that I think. I take for granted that the minister and his department are ready to assist in this field. Certainly there are some policyholders

who seem to be having difficulty in placing the insurance and so I would simply ask the minister again, will he and his department assist in placing such insurance which is having difficulty?

**Hon. Mr. Handleman:** Mr. Speaker, that's been the consistent policy of the department and it will continue.

**Mr. B. Newman:** Mr. Speaker, a supplementary of the minister. Is the minister aware that many small insurance agents are having difficulty finding companies that will help them, or that will take them on as agents, and as a result may end up bankrupt?

**Hon. Mr. Handleman:** Mr. Speaker, certainly we are aware of this. It is a reflection, I believe, of the situation of insurance underwriters in this province; many of them are leaving the province because they aren't able to earn enough on their investment to warrant continuation of business.

We are concerned about the agents who are unable to find underwriters for their customers and I can say that our department of insurance is assisting any agent who is unable to place insurance. That doesn't necessarily mean that we will be able to find a place for them all, but we certainly will assist as many as possible in placing insurance for their customers.

### NON-RETURNABLE CONTAINERS

**Mr. Gaunt:** Mr. Speaker, I have a question of the Minister of the Environment. Since the minister's predecessor, the gentleman who sits to his right there, indicated on March 14, 1975, that the government would give the Ontario soft drink industry 12 months to start using more refillable pop containers or face legislation, and since the same minister has indicated on one or more occasions that the industry was not co-operating, what action is the minister proposing in this respect?

**Hon. Mr. Kerr:** Mr. Speaker, I have just received a copy of the waste management advisory board's report and its recommendations based on the year's experience as a result of my predecessor's edict in March of 1975.

**Mr. Foulds:** Edict?

**Hon. Mr. Kerr:** I hope to table that report this week and also to comment briefly on some of its recommendations.

**Mr. Gaunt:** A supplementary question?

**Mr. Speaker:** Yes.

**Mr. Gaunt:** Is the minister considering legislation in this particular field and does the report recommend that course of action?

**Hon. Mr. Kerr:** The report does recommend that certain regulations be drafted and in some cases approved by the government. I don't want to make any comment on that at the present time until we have had a chance to look at those recommendations—

**Mr. Reid:** You are going to keep dragging your feet.

**Hon. Mr. Kerr:** —and I have had an opportunity to discuss them with my colleagues.

**Mr. Speaker:** The hon. Solicitor General has the answer to a question asked previously.

### POLICE FIREARMS

**Hon. Mr. MacBeth:** On Friday, March 12, the member for Oshawa (Mr. Breaugh) asked me why regulation 679 under the Police Act, which relates to police weaponry, was amended as it was on Nov. 14, 1975.

The reason, fundamentally, is to provide a more effective firearms package for police constables with increased safety both for the constable and the public. The ammunition previously in use had been unchanged since 1902. It was designed for a type of weapon no longer used and was not satisfactory for modern conditions. In particular, its penetration capacity was such that it ricocheted badly, particularly in situations where modern laminated windshields were involved.

Members will understand that this was an unsatisfactory situation. Because of this generally perceived problem in the policing community, a study was initiated by the Ontario Police Commission, using a team of professional armourers and experts from the Centre of Forensic Sciences. As a result, a new package regulation was developed, altering the projectile shape from the oval formerly used to what is known as a truncated cone. This indeed has a flat tip but this is not its salient feature.

In conjunction with the change in ammunition, the regulations concerning the weapon were changed to provide for a maximum muzzle velocity, a minimum barrel length and all-steel construction. I would also emphasize that the severe restrictions on the use of weapons were unchanged. Fundamentally, the constable may only use his

weapon as a last resort for the saving of his own life or the life of another citizen and, as hon. members know, in every single instance where a policeman in this province uses a weapon, an investigation is made into the circumstances by the Ontario Police Commission.

I think everyone will agree that the new regulation is in the interests of everyone in the policing community and amongst the public at large, and I am pleased to have had this opportunity to allay any concerns which this updating may have raised.

### RENT REVIEW PROGRAMME

**Mr. Wildman:** Mr. Speaker, I would like to ask the Minister of Government Services, in the light of the earlier statements by the Minister of Consumer and Commercial Relations about rent review and tenants' problems with high rents if she intends to discontinue the policy of breaking the rent review law by charging rent increases of about 40 per cent and more by payroll deduction to government employees renting government housing throughout the north?

**Some hon. members:** Shame.

**Hon. Mrs. Scrivener:** Mr. Speaker, I would require more information on this subject before answering the member.

**Mr. Foulds:** Are you going to get it?

### ICE STORM DAMAGE

**Mr. Haggerty:** I would like to direct a question to the Premier. Is the Premier prepared to consider special financial assistance for those municipalities that were on the receiving end of a serious ice storm on March 2 and 3 that has caused considerable damage to property and hydro services and, as a result, the municipalities of the town of Fort Erie and the city of Port Colborne have been declared disaster areas?

**Hon. Mr. Davis:** Mr. Speaker, I think this question should be properly answered by the Treasurer and the Minister of Economics and Intergovernmental Affairs, who has responsibility for the municipalities.

**Mr. Speaker:** Do you wish to redirect it?

**Mr. Haggerty:** Yes.

**Hon. Mr. McKeough:** Mr. Speaker, to my knowledge, we have only received a request from one municipality requesting designation.



I believe the only municipality I have heard from to date is the town of Blenheim. Whether other municipalities have in fact applied for designation, I am not sure.

The committee within the government which looks at these things is assessing the situation, and I think the member will be aware that a great deal of the burden of the storm, if I can put it that way, was borne by Ontario Hydro and by Bell Telephone; those are agencies that would not normally be reimbursed for storm damage, and I can't conceive of them being reimbursed for such damage. Certainly local utilities have had some heavy bills to pay, and whether that is an appropriate reimbursement, I don't know.

There is some property damage in my own part of Ontario, but not as much as one might have expected in a storm of that size. There isn't that much damage to buildings, but there is some; and some of it is insurable. The Minister of Agriculture and Food (Mr. W. Newman) has met with the Crop Insurance Commission, and with farmers from Essex and Kent, with respect to damage to the cherry trees and the peach trees, and some discussion is under way on that matter with the federal Minister of Agriculture. But I think it would be premature at this point for us to say generally that some sort of extraordinary assistance was going to be provided. It is under study and, when a decision is made, it will be communicated.

#### RADIOACTIVITY AT PORT HOPE

**Mr. Moffatt:** Mr. Speaker, a question of the Minister of Health; it is a two-part question. First of all, I would like to know whether the task force which the federal government has implemented in order to deal with the radiation situation in the town of Port Hope fills the requirement of a public inquiry as apparently asked for by the minister about two months ago? Secondly, what are the criteria being used to decide which houses will be offered agreements to repair and which houses will not be offered them? Is there a specific radon gas level which the house has to meet before the owner is offered an agreement to repair that building?

**Hon. F. S. Miller:** Mr. Speaker, on the first part of the question, I can't say that the task force does or does not meet all our needs. I'm not sure yet because I haven't seen all the terms of reference that it's operating under. I never called for an inquiry; I may well have been quoted as saying so. In fact, one of the things I was concerned about was, really, the short-comings of legislation as it

deals with radiation hazards between our government and the federal government.

The second part of it: We were recommending to anyone who was in a house with a radon level of more than 50 picocuries that they not wait for spring or any other more convenient time to absent themselves from their facilities. That's strictly an empirical decision; it shouldn't be taken as a scientifically-based decision. But staff, after a lot of thought, arrived at that figure as one which they should not allow people to remain in until conditions in the weather improve.

Since, again, the province played no part in the payment for any of these repairs; it was strictly done, as I understand it, with an Eldorado Nuclear—I think the term used was slush fund.

**Mr. Peterson:** You're the only guys with those.

**Hon. F. S. Miller:** We really didn't have anything to say about what the criteria were. We weren't involved in the payments, therefore it was not our responsibility to determine who got covered and who didn't. We simply helped notify or helped locate those houses which, in our opinion, were unsafe for human habitation.

**Mr. Peterson:** Supplementary.

**Mr. Moffatt:** Supplementary.

**Mr. Speaker:** Supplementary; the member for Durham East first of all.

**Mr. Moffatt:** Mr. Speaker, in response to the answer, two points: One, would the minister please clarify with the member for Northumberland (Mr. Rowe) whether the minister did or did not call for a public inquiry, since he is on record in Port Hope as having indicated that?

**Mr. Speaker:** That's what I understood.

**Mr. Moffatt:** Secondly, as I understand it, there are members from the Health Ministry on the task force. Is that a fact or not?

**Hon. F. S. Miller:** Mr. Speaker, I said I was personally not aware of the details. I will make myself keenly aware of the details. That doesn't mean that my staff aren't very competently handling it. But I would point out to you, with a staff of 14,000 or thereabouts, I am not always aware of all the details that they are aware of.

**Mr. Singer:** Keenly?

**Mr. Shore:** Get rid of a few thousand.

**Mr. Peterson:** Mr. Speaker, a supplementary.

**Mr. Speaker:** Order, please. The hon. member for London Centre with a supplementary.

**Mr. Peterson:** Mr. Speaker, the minister has just said he agreed to this task force, but he's not sure of the requirements. He has put his staff on it and if he is not happy he'll do something about it. Now, could the minister tell us those requirements that he requires personally as the Minister of Health responsible for that area, and what kinds of terms of reference does he want to see from the federal task force? And if they don't meet up to that, what is the minister prepared to do about it as a provincial matter?

**Hon. F. S. Miller:** First, I defend the provincial record anytime—the fact is that we acted while others did not.

**Mr. Reid:** And you don't know what it is.

**Mr. S. Smith:** Oh, come on. There has to be an inquiry.

**Mr. Speaker:** Order.

**Hon. F. S. Miller:** I am fully aware of what we did while others talked—and there's a big difference. We went around locating the places where people were at risk and recommending that they move in the absence of any federal action. Now, that seems to me an important point.

**Mr. Reid:** What are you doing now?

**Mr. Yakabuski:** Shame on the feds.

**Mr. S. Smith:** You will run on anybody's record except your own.

**Hon. F. S. Miller:** I was very concerned about the laws as they existed, because I was unable to get a clear definition from some of my staff as to where our responsibilities began and ended. I felt we had to know where other potential sites were in Canada. That information, I am told, was given by the federal minister. I understand, too, that the federal member for the general Northumberland area has argued about the full disclosure of that information, so I can't tell whether it's full or not. Certainly, he named a number of sites apart from Port Hope. The task force was, I understood, primarily going to be looking at correction of existing sites and location of others, and possibly would have other duties.

**Mr. S. Smith:** You are running on everybody's record but your own.

**Mr. Peterson:** Supplementary.

**Mr. Speaker:** Order, please. I suggest that was a final supplementary. Is this a different supplementary now?

**Mr. Peterson:** It is a different supplementary, Mr. Speaker.

**Mr. Speaker:** In view of the circumstances, I think I'd better allow this supplementary. [2:45]

**Mr. Peterson:** Thank you, Mr. Speaker. In that you were involved, I compliment you on that one.

Would the minister tell this House what steps he and his ministry have taken to guarantee voluntary testing of anyone involved in the community who wants to have that kind of testing for lung disease as well as for potential genetic harm over the years?

**Hon. F. S. Miller:** Mr. Speaker, first of all, you may recall that a family named Lewis, I believe, who were in the house with the highest density for over 20 years, were subjected to very thorough tests—not just tests that were accepted as medically significant but, I am told, a whole series of research tests—at the Princess Margaret Hospital, at the University of Toronto, and by any other persons who come along suggesting they might help.

I heard arguments, first of all, that the work at Princess Margaret was of an informational nature rather than a diagnostic nature. I heard comments that the overall body scan recommended by the University of Toronto would show nothing; it did not. But, rather than argue, these people were willing to go along to be checked; and we were quite willing to have them checked if other sources or other groups wanted to do it.

I was delighted when, I understand, they were given a clean bill of health within the last week or so, at least according to Mr. Lewis himself in the newspapers.

**Mr. Peterson:** According to the Globe and Mail.

**Hon. F. S. Miller:** That's correct. I tried to find information on these tests and I was excluded from it, because the doctors felt it was strictly the kind of thing that they would deal with their patient about. I was not entitled to know the results. I have to honour that kind of confidentiality if a doctor insists on it.



**Mr. Peterson:** What about all of the other people in Port Hope? What are you going to do with them?

#### SUDBURY HOSPITAL INQUIRY

**Mr. Singer:** Mr. Speaker, I have a question for the Attorney General. Could the Attorney General tell us, in view of the attendance of his official, Mr. Howard, at the inquiry in Sudbury, and what must have been Mr. Howard's reports to the Attorney General, and in view of Mr. Lebel's evidence, when are appropriate charges going to be laid against Mr. Lebel for his actions in connection with the Laurentian Hospital?

**Hon. Mr. McMurtry:** Mr. Speaker, I am of course aware of that inquiry, but I have seen no report and in my view it would be premature to consider whether or not any charges should be laid in respect to any of the evidence or as a result of any of the evidence adduced at that inquiry. I am sorry, Mr. Speaker, but I did not catch the name of the gentleman who the hon. member said attended from my ministry.

**Mr. Singer:** Mr. Howard.

**Hon. Mr. McMurtry:** Howard? Well, he was the counsel to the commissioner. He is not a member of our ministry; he was counsel to the commissioner, Judge Waisberg. He is in private practice in Toronto.

**Mr. Singer:** Well, by way of supplementary, does the minister not have available to him transcripts of the evidence—at least the transcript of Lebel's evidence—and isn't it apparent that a charge of some sort should be laid in view of the actions that are described there?

**Hon. Mr. McMurtry:** Mr. Speaker, it would be premature for me to express an opinion, except to assure the hon. member that the transcripts will be carefully reviewed.

#### COAL DUST ON HAMILTON BEACH

**Mr. Davison:** Mr. Speaker, a question of the Minister of the Environment. Now that the ministry officials have traced the source of the coal dust that fell on the Hamilton Beach, Feb. 7 and 8, to an untreated coal pile at Dominion Foundries and Steel company, would the minister inform the House as to what action will be taken against Do-fasco for its damage-causing negligence?

**Hon. Mr. Kerr:** Mr. Speaker, steps have been taken by the company as a result of instructions of my ministry in Hamilton—

**Mr. Martel:** Any charges?

**Hon. Mr. Kerr:** —so that that particular incident won't happen again. If the aggrieved individuals feel that they should lay charges—

**Mr. Warner:** Why don't you?

**Hon. Mr. Kerr:** —we of course will assist them. But in a case like this, where we don't feel this incident was necessarily the negligence of the company, we don't feel that charges should be laid in this instance.

**Mr. Laughren:** Like Inco all over again.

**Hon. Mr. Kerr:** But we have taken steps to cover by spraying that particular stockpile in the hope that that type of incident won't happen again.

**Mr. Martel:** Do you feel charges should be laid?

#### WINTARIO

**Mr. O'Neil:** Mr. Speaker, I have a question for the Minister of Culture and Recreation. Can the minister advise me whether or not any decision has been made by his ministry concerning the application made to Wintario back in the fall of 1975 from the Belleville Yardsmen's Benefit Fund Inc. concerning the Quinte Sports Complex in Belleville, Ont. These gentlemen are prepared to put \$2.5 million into this project; can the minister assure me that politics has not or will not enter into this decision?

**Hon. Mr. Welch:** Mr. Speaker, you understand how shocked I am with the last part of that particular question. My father is a retired CNR brakeman; why would I be against yardsmen at all?

The answer to the first part of that question is that no decision has yet been made; and the answer to the second part is yes, I can assure him that such is not an influential factor in making this consideration.

**Mr. O'Neil:** Supplementary, Mr. Speaker: Has the minister or his officials met, or are they to meet this week, with a Conservative candidate in Quinte concerning this application?

**Hon. Mr. Welch:** I'm not aware of any such meeting, Mr. Speaker, and I might say in my very quiet way that I resent such implications. I defy any member of this House, on

any side of the House, to give me any evidence where partisanship has, in fact, had any bearing with respect to any of these applications.

**Hon. Mr. Rhodes:** Who is the candidate?

### STUDENT LAW SERVICE

**Mr. Bounsall:** A question of the Attorney General, Mr. Speaker: Is the Attorney General not very concerned that no programmes from his ministry were accepted by the Experience '76 programme, particularly the programme of last year for senior law students to staff the community legal aid clinics associated with the universities, a programme which provides an invaluable service to the community and which must fold this summer if they don't get that summer student funding?

**Hon. Mr. McMurtry:** Mr. Speaker, I wasn't aware that there had been any final determination of that matter. I only learned the other day for the first time that my ministry might not be involved. I've asked for a meeting with the appropriate officials to pursue the matter, because I am concerned about it. I assure the hon. members I'm concerned with relation to the value of these law student services in these community clinics, because as a ministry we've worked very hard to ensure that these community clinics continue to be funded by the Law Society.

**Mr. Bounsall:** I gather then that the minister will be approaching the Management Board of Cabinet in a very forceful way to get this programme restored? Will the minister try and ensure that there are more positions made available in the programme this summer, because of the success of last summer's programme? In the intervening time, funded through the law schools as part of their training programme, they are handling a much higher caseload at the moment than they did last summer.

**Hon. Mr. McMurtry:** I don't think I have anything to add to my previous answer, other than to say that I am concerned about the matter. It is being reviewed and I'll have some further information for the hon. member opposite within the next day or two.

**Mr. Speaker:** The question period has expired.

Petitions.

Presenting reports.

**Clerk of the House:** Mr. Edighoffer, from the standing miscellaneous estimates committee, reports the following resolution:

**RESOLVED:** That supply in the following supplementary amounts and to defray the expenses of the Ministry of Government Service be granted to Her Majesty for the fiscal year ending March 31, 1976:

Ministry of Government Services

Supply and services programme \$2,650,000

Ministry of Housing

Home buyers grant programme \$6,000,000

**Mr. Speaker:** Motions.

Introduction of bills.

### FREEDOM OF INFORMATION ACT

**Mr. MacDonald** moved first reading of bill intituled, An Act to provide for Freedom of Information.

Motion agreed to; first reading of the bill.

**Mr. MacDonald:** The purpose of this bill is to provide the public access without cost to government documents. Its underlying principle can be simply stated. Governments, in the past, have tended to operate on the assumption that all information is secret except what they choose to make public. The reverse, in my view, should be the case. All information should be public except for certain kinds of information.

**Mr. Speaker:** I'm afraid the hon. member is debating the bill. He's given the principle of the bill.

**Mr. MacDonald:** No, I am right on the principle of the bill, Mr. Speaker.

**Mr. Speaker:** You may state the principle but not debate the principle, if I may clarify it.

**Mr. MacDonald:** That's right. The reverse should be the case. All information should be public except for certain categories which can be legitimately kept secret and the bill sets forth those exemptions.

### ONTARIO HUMAN RIGHTS CODE AMENDMENT ACT

**Mr. B. Newman** moved first reading of bill intituled, An Act to amend the Ontario Human Rights Code.

Motion agreed to; first reading of the bill.



**Mr. B. Newman:** Mr. Speaker, the purpose of this bill is to prevent discrimination on the basis of a physical handicap when the physical handicap does not prevent the individual from performing the duties and responsibilities of the employment opportunity. Such legislation has been operative in Nova Scotia for over a year.

**Mr. Deans:** Mr. Speaker, before the orders of the day, notice was sent around with regard to the estimates committee meeting immediately after the question period. I just want to make it clear to the members of the committee there is an understanding that the estimates committee will not, in fact, meet today, tomorrow or on Wednesday until after the three leaders have had their opportunity to reply to the Speech from the Throne.

**Mr. Breithaupt:** Yes, that has been agreed to, Mr. Speaker.

**Mr. Speaker:** I believe that's the agreement; that's right.

Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the motion for an address in reply to the speech of the Honourable the Lieutenant Governor at the opening of the session.

### THRONE SPEECH DEBATE

**Mr. Lewis:** Here we go again, Mr. Speaker, once more into the fray on the ides of March, a propitious day to begin the reply to the Speech from the Throne, with the Premier (Mr. Davis) speaking on St. Patrick's Day and the leader of the Liberal Party (Mr. S. Smith), as always, happily in between.

I guess, having made that unnecessarily gratuitous reference, I want to acknowledge the new leader of the Liberal Party a little more formally than was possible on the day the House reconvened.

We will clash often in the House, I have no doubt, and there will be profound differences, but I must say to the leader of the Liberal Party that I don't underestimate his job or his role one drop. It's an unbelievable piece of work to try to embrace the Province of Ontario, to cover it, to absorb its nuances and move in a period of years let alone a period of months or less. I fully sympathize with the leader of the Liberal Party as he tries to encompass everything in such a short period of time.

[3:00]

In the last three or four weeks I myself have been in the communities of Sharbot Lake, Dresden and Iron Bridge. I thought to myself that after 12 to 13 years in politics that was the first time I had been into those three separate communities for any length of time in the entire period. What an extraordinarily large province it is and how difficult it is to get around. Some of us understand the relentlessness of it all.

However, the leader of the Liberal Party is not entirely an unknown quantity as he takes his seat in the House. We have had glimpses of insight into some of his attitudes and approaches, three of which I want briefly to mention, and then launch into the government where the real adversary lies.

First of all, about the Liberal leader, I was extremely gratified to read that he is really more a Tory than a Liberal. That was reassuring. It was the wise man of the fourth estate, Harold Greer, in the *Hamilton Spectator*, doubtless circulated—

Interjection.

**Mr. Lewis:** What is all the coughing for? An inestimably perceptive man, Harold Greer, in those rare columns with which we agree. This one is headed, "Smith's Philosophy Not Far from That of the Conservatives," and it contains a quote from the member for Hamilton West, who said shortly after his election as leader: "Philosophically, I suppose there are not too many differences between the Conservatives and the sort of Liberal Party I would like to see shaping up under my leadership."

**Hon. Mr. Davis:** There is room over here.

**Mr. Lewis:** "The difference, however, may not be in philosophy but in practice."

**Mr. Foulds:** There sure is; we'll be over.

**Mr. S. Smith:** We will be occupying that room pretty soon.

**Mr. Lewis:** This rump over here was rather the way it was between 1971 and 1975. The members can envisage them as brethren if they would.

**Hon. Mr. Davis:** We envisage everybody as brethren.

**Mr. Lewis:** If it is just a difference in practice, I wondered why the voters would choose a learned fellow from Hamilton West rather than a learned fellow from Brampton.

**Hon. Mr. Davis:** They won't. The answer to that is obvious: they won't.

**Mr. Lewis:** That's right. In that choice they will continue choosing the member for Brampton, I agree. There is, happily, another choice.

"Of course," said the member for Hamilton West, "many of the criticisms of the Conservative government might also be levelled at the federal Liberal government, but I can assure you that if they deserve those criticisms I will be glad to make them." And Harold Greer says: "So a Liberal is a Conservative is a Liberal. Now, where does that get us? More important, where does it leave a lonely Liberal like me?"

**Mr. Shore:** Where do you start defining that one?

**Mr. Lewis:** We all have compassion for dear Harold. But he has struck an interesting note as the free enterprisers on my left rush to embrace the free enterprisers across the way in their negotiation of the throne.

There is another aspect to the leader of the Liberal Party that I just wanted to spend a word on, and that is that I noticed early on in the leadership race he said he was going to stand toe to toe and slug it out with the leader of the NDP.

**Hon. Mr. Davis:** Right out there.

**Mr. Lewis:** I want the House to know, I concede in advance. I always thought I was capable of greater rhetorical excesses than most people in the Legislature. I always thought I had a gift for outrageous hyperbole second to none. But I want to tell you, Mr. Speaker, I have met my match and I want to show honourable concession in advance. I met my match, I guess, two or three weeks ago it was, when the leader of the Liberal Party held a press conference early in the afternoon, just after lunch, and said of the Minister of Health—he who had been closing down hospitals and reforming the health services—"You are a courageous man and I congratulate you for it; humane, decent, courageous."

**Hon. F. S. Miller:** He was right.

**Mr. Lewis:** And then the leader of the Liberal Party went to speak to the faithful at dinner and he said the Minister of Health was the bubonic plague. I want to tell you, Mr. Speaker, courage for lunch and the plague for dinner, and not even intellectual indigestion along the way. I have to bow, not just to a peer, but to a master—

**Mr. Shore:** The Leader of the Opposition is still the champ.

**Mr. Lewis:** —and I do so with great pleasure.

The leader of the Liberal Party is upset with the NDP. We appreciate that. I had some information related to surveys recently which makes me feel fairly good about that obsession. He feels that we don't understand the climate. I have only one observation which came to me from some unhappy party supporters from the Sarnia Observer, Dec. 3, 1975, when the various Liberal leadership candidates were vying for the finale:

Dr. Stuart Smith said to the meeting the economics of the NDP "has not changed one iota from the time of Karl Marx."

That's in quotes. Well, I mean he discerns the difference between Groucho and Karl and I've always felt that at least is one useful step.

He said he doubted if some of the NDP understood Marx's philosophy. "The NDP is depressed over the fact that people are competitive by nature," he said. "We don't take over a person's life when we liberate them."

Are you ready for the next sentence, my colleagues?

"We don't liberate them the way the Russians liberated Latvia."

**Mr. Martel:** He needs a psychiatrist.

**Mr. S. Smith:** If the Premier wants to borrow the line, it is his; it is okay.

**Mr. Good:** That didn't bring a very good response.

**Mr. Lewis:** There we are. As a matter of fact, the only other fellow in the House who used the relationship to the Russians latterly, is another chap from Hamilton who represents the Mountain. I thought to myself whatever else politics brings in Ontario in the next little while I hope it is rather less of that stuff than more.

In any event, were not now the government cherishing its 36 per cent—is that what it got—36 per cent of the popular vote in September, 1975?

**Mr. Shore:** What percentage did you get?

**Mr. Lewis:** Twenty-nine, as a matter of fact, which for us was an extraordinary achievement.

**Mr. Breithaupt:** We got one per cent more.



**Mr. Lewis:** And it is still going up, although I wouldn't have believed it. But then I'll come back to that at the end of my remarks.

**Mr. R. S. Smith:** Have you polled your household?

**Mr. Lewis:** The honeymoon period of the Legislature that characterized the fall of 1975 is obviously very much over. I said that once and people thought that it was sabre rattling. They felt that I was immediately implying the Legislature or the government would somehow come to an end and threatening to do so. I want the Premier and others in the Legislature to know that I always felt that was a simple statement of fact rather than a statement of provocation.

I think it's probably true that the effort to overcome differences in the immediate wake of the minority outcome in September, 1975 allowed for some very productive and useful legislative activity in the later fall and that every party in the Legislature moved hard to do that. But the events in the interim have caused fundamental divisions, at least between the government and ourselves, divisions on matters of philosophy, approach and attitudes. It doesn't mean that minority governments won't work for some considerable time. It does mean, however, that we will have to oppose and want to oppose a number of the initiatives which the government has taken and will take and that the euphoria which was characteristic of post-September is simply not enough. No one on this side of the Legislature in the official opposition feels particularly uptight about that reality. It is, I think, simply a reality and has to be faced.

Because a lot has happened between Dec. 18, and March 9, other than that brief and largely unreal couple of days when we ordered the Metropolitan Toronto teachers back to work, I want to deal this afternoon with a number of things that have happened, to which we have taken exception, and a number of things that haven't happened which we think should have occurred. I want to deal with Health and the Minister of Health. I would like to deal with Community and Social Services. I want to deal a little with agriculture since it is the special penchant of the Premier. Oh, yes, 26 acres an hour; that's not just penchant with the Premier, it's paranoia. So I'll spend a little time on it. I want also to deal with some environ-

mental hazards as they relate to government. But, Mr. Speaker, primarily, I want to focus initially on the restraint programme of the government—so-called—as it affects health and hospitals.

Mr. Speaker, pretty simply put, at the heart of the storm of public feeling and political opposition, lies the closing of small community hospitals. And even though it has been done before, though not frequently in this Legislature, I want to review some of the aspects of that controversy. I must say that the member for Huron-Middlesex (Mr. Riddell)—is that the riding?—spoke feelingly about his own community. And my own colleague from Parkdale (Mr. Duksza) I thought put it extremely well on the lead off to the supplementary Health estimates last week.

But, let me very briefly try to recapitulate a number of grounds as to why we, in the New Democratic Party caucus, feel so strongly about what occurred.

First, there was about the whole episode a profoundly undemocratic character. If the government is going to undertake a startling and dislocating redefinition of health services to the extent that it involves the closing down of small community hospitals, then the Legislature should be much in session for much of the minister's activity. We should be able to debate it in this forum as it is proceeding, or before it takes place, so that there is some sense in the province generally that there exists a focus for discontent.

The minister's refusal to set it out before the Legislature before Dec. 18—as a matter of fact, with great respect, the duplicity inherent in the Legislature closing on the afternoon of Thursday, Dec. 18, and the telegrams going to Goderich and Northeastern and the four public health labs on Friday, Dec. 19, is a particular blemish on the behaviour of the government. It tends to show up in the public mind, if I may say—and I don't expect the minister to agree—the kind of anti-democratic, almost insolent political behaviour for which a great many of us are now rebuked, government and politicians generally.

The second thing I wanted to say to the minister, Mr. Speaker, is that we oppose the closing down of the community hospitals also because of the lack of consultation and the incredible arbitrariness with which it was conducted.

I had never understood a position quite so incredible as that which the Minister of Health engaged in during the couple of months that he ran around the province closing down hospitals. I must admit that I,



myself, went from community to community with a fear and anxiety that they might be next on the list. It was strong and compelling. The minister induced in the Province of Ontario a sense of unease unparalleled in a number of years, and he did it in a way which made everything appear to be a fait accompli and the entire process to appear to be senseless, insensitive and unfeeling.

We disagree with the rationale that the minister provided for the closings. Even so, it was surely unnecessary to approach it in that fashion. I know the minister has made the argument again and again that had he taken time to consult in advance, it wouldn't have worked. I know that Mr. Chatfield, in his interview with the *Toronto Globe and Mail*, said that the more people you consult with the harder it is to reach a consensus.

[3:15]

If you will forgive me, Mr. Minister, to the Speaker, those are the words of a bureaucrat who is both skilled and knowledgeable, but they should not be the patterns of behaviour of a politician. The minister's refusal to consult the community in advance engendered such anger and frustration and rage that I have not seen its like in some time. I remember getting the letter from the doctors at the Alexandra Marine and General Hospital in Goderich and I just wanted to put it on the record, because I could hardly credit it then and I can hardly credit it now. This is the county of Charlie MacNaughton; this is the county where people used to be Tory and this is the county where people are not given to extremes or to immoderation. It is to Frank Miller:

Hon. Sir:

At a special meeting of the medical staff of the Alexandra Marine and General Hospital, Goderich, Ontario, the following resolution was passed unanimously:

The ministerial decision to close the Goderich Psychiatric Hospital has been without due consultation of local health professionals and seriously endangers adequate provision of total psychiatric care in Huron county. We believe this represents an unbridled, unilateral use of force of the government without consultation, compassion or reason. The planned closure of general hospital beds in Huron county threatens the right of the people in Huron county to adequate health care and the method used by the provincial government in planning these closures is totally undemocratic.

Therefore, we call upon the Minister of Health to: (1) Reverse his decision on the closure of the Goderich Psychiatric Hospital; (2) Withdraw plans for closure of general hospital beds in Huron county; (3) Commit himself and his ministry to decision by consultation with representatives at local levels; or, failing responsible actions on these lines, we call upon the minister, the hon. Frank Miller, the deputy minister, Mr. Allan Backley, and their institutional advisors to resign immediately.

The Medical Staff

I was really flummoxed by the extent of feeling which this letter conveys.

I think the feelings are real and are legitimate because the government showed absolutely no regard for the capacities of local communities to participate in decisions which profoundly affect their very survival. It's another example of the contempt—maybe that's too strong a word—of the indifference, profound and unrelenting, which the government has developed over the last few years toward small communities in rural Ontario.

I think that's why the Conservative base is eroding in rural Ontario, and that leads me to the third point I wanted to make very briefly.

Apart from the atmosphere of execution which accompanied the closing of the hospitals, there was an equal atmosphere of no concern for the human consequences, which were approached as though the Minister of Health—to use a memorable phrase that a socialist colleague of mine once used in another jurisdiction—was some desiccated, calculating machine. Everything was beds and everything was dollars and nothing was the human consequence.

When, again, the interview was given to the newspapers, it was said how difficult it was to measure these things in human terms. It is a most extraordinary sequence of events, when we have such dramatic consequences for patients, and even more dramatic consequences for staff, that it is impossible for the ministry to measure those consequences but to deal only with beds and financial savings. That, too, spread enormous disillusion through the communities affected.

We know the Minister of Health conveyed a kind of martyrdom about it all. We know that the Minister of Health said: "I am doing something I don't really want to do, which is terribly unpopular, and if you pelt me with snowballs, I will understand." But it was, when all is said and done, an irrational way to behave in Ontario.



Ontario is a reasonable province. It is made up of reasonable, intelligent, thinking people; and it is time that the government responded in kind rather than stamping on their rationality.

The fourth point I want to make about the execution is that the government engendered a kind of despair in these small communities and in vulnerable and isolated ethnic communities; at least they have their own sense of isolation. In downtown Toronto, in the case of Doctors Hospital, the government engendered that kind of despair which simply didn't make sense and, in its own way, is unforgivable. I don't think it's necessary to push small communities that way.

I myself met with a number of the boards and staff and representatives of citizens groups. My colleagues, along with members of the Liberal caucus, attended mass community meetings in Goderich and in Kingston and in Durham. It really makes one wonder why it's necessary for the government to push communities beyond the breaking point. When the delegation from the community of Durham came to visit the caucuses here at Queen's Park—I don't know whether they met with the government caucus, but they did meet with the NDP and I believe they met with the Liberal caucus, they set out before us the saga of Durham, which the member can put better than I. They pointed out that Durham lost its high school, Durham has lost a nursing home, Durham has lost an arena, Durham has lost its public library—Durham even lost its name to a larger regional municipality—and then you take away the hospital.

**An hon. member:** How much did it save?

**Mr. Lewis:** I want to tell you, that's just too much to rain down on a small community in western Ontario. It doesn't make sense. These are the factors that are worthy of measurement by a political party and by a government.

Your total saving on behalf of Durham, so you said, would be \$550,000. If you want a straight response, Mr. Minister, through the Chair, it just isn't worth it. To do what you're doing to Durham isn't worth a saving of \$550,000.

That community has felt itself under siege for the last two or three years, non-stop. Those of you who were there during the time of the main controversy know what the community felt like. Those of you who know the results in Durham in the last provincial election, in the little village of Durham, know

how it changed its political allegiance, largely because of the pressure it felt it was subject to; and it's just not worth upsetting it again. There's more to life than that.

Let me say to the Minister of Health (Mr. F. S. Miller) through the Chair: \$550,000 you can get from one private lab in this province, you don't have to close down Durham.

I must say that the 1,000 or more people who turned out at the Durham meeting—virtually the whole town—felt again that it's just not a civilized way to behave. You don't have to be a romantic, you don't have to spend your whole life believing in consultation, you just have to know that you can only lacerate and abuse small communities for so long before they rise in opposition to the government. You are gradually, systematically, eroding the confidence of small communities, and therefore, their confidence in your government, or whatever is now left of it.

The last point I wanted to make about the execution of it, briefly, is that you focused your attack on primary care models, and that's the most irrational dimension of all. Not only didn't you consult, not only didn't you provide information, not only did you do it insensitively, not only did you engender fear and anxiety on the part of the communities, but you chose those communities which had first rate primary care models.

Both opposition parties have been saying to the government for years it spends too much time depending on the medical model for specialized care, make of the medical model a community health centre. Ironically, in cases like Durham and Clinton and Paris-Willett and Doctors, you had created primary care models with clinics near the hospital, with much greater outpatient loads than inpatient loads with a real sense of the hospital relationship to the community—and that's exactly the model you choose to decimate.

It's just not rational. It doesn't make sense. For the saving of money involved, it just doesn't add up. One of the reasons that it doesn't add up is because the saving of money is an illusion.

We oppose you on all those small closings for that whole complex of reasons, largely related to the way in which you went about it and the hospitals which you chose. I want to say to the Premier (Mr. Davis) that it is a matter of some considerable conviction, even of principle, around the delivery of health care services that you chose those hospitals and the two psychiatric centres at Goderich and Northeastern to zero in on. It speaks to

a philosophy of government which we find abhorrent.

The whole process of appeal is equally ludicrous, because you relent only on your terms and you cause the community extraordinary anxiety in the process, so that they don't really feel they've regained anything; they only feel an increased sense of aggravation and everyone scrambles frantically to plan in some way that will satisfy the appetites of the Minister of Health. Is there anything they can provide which will appease the minister and rescue their hospital and, therefore, their community? For places like Durham and Clinton we are not talking about beds, we are talking about a community. The government approached it as though it were beds, but they built the hospital; they contributed to it; they depend on it. It represents economic security for them and the government dashes it to the ground.

For all of that complex of reasons we don't think it makes any sense for the government to behave in Ontario the way it behaves. But let me take it a step further which is, in economic terms, that much more compelling.

The government hasn't even been able to prove the financial savings. As a matter of fact, it hasn't even been able to provide with accuracy the bare amounts. We will be able to get into this in the supplementary estimates of the Ministry of Health tonight, tomorrow night, Wednesday night, whenever it comes and how long it takes. Very briefly, I want to point out a couple of things which I really didn't understand myself and maybe I can share them with the House.

Every time we turn around the Ministry of Health is issuing new financial statements on cost savings. The Minister of Health issued fact sheets on all of the hospital cutbacks in the last very few days and those fact sheets again amend the original intent. I can't remember any more what the original figure was that the government was going to save from the closing of Goderich and Northeastern. Can the minister remember what it was now?

**Hon. F. S. Miller:** About \$4 million.

**Mr. Lewis:** Yes, \$4 million or so, in round figures, was what he was going to save but with every week that passes since Dec. 19, the figure is eroded.

I want to provide figures for Goderich and Northeastern which show that the government is going to lose money on both. The figures are irrefutable because they are the government's, I want to tell the minister I rely on his figures when it's useful to rely

upon them. I want to tell him I have looked long and hard for the evidence—I didn't expect it to fall into my lap—but here is his fact sheet on Goderich Psychiatric Hospital. If he has a pen or pencil in front of him I would like him to join with me in a little arithmetical calculation.

By the way, there is, of course, a mistake in his figures which we had to find for him and send to his office today to get corrected. That's very sloppy; it's not even nice. I want to urge the minister that when he is putting out figures which involve the closing down of communities and community hospitals, he gets them right.

**Mr. Lawlor:** Get another adding machine.

**Mr. Lewis:** The figures are these. The annual cost of operating Goderich Psychiatric is \$4,754,000. Then the minister says: Expenditures necessary to implement and maintain the proposed programmes are—I will give you the right figure here—\$1.48 million, salaries for staff and variable costs at London and Owen Sound; \$1 million, adult ward psychiatric units at Stratford and Goderich; \$187,000, child and adolescent programme costs at Goderich. Now here is the one that really gets to one—the minister has before Management Board at this moment the estimated cost for the mental retardation resource centre at Goderich \$2,615,000—given to us this morning courtesy of an excellent person whose name I will not use for fear he expunges him from the public service of Ontario. The exact total expenditure at Goderich therefore becomes \$5,282,200; the total cost before was \$4,754,000. The minister's net saving is a loss of \$527,000. My congratulations to him.

**Mr. Shore:** He should be able to handle that.

**Mr. Peterson:** That's an easy one.

**Hon. F. S. Miller:** With great respect that's the kind of arithmetic—

**Mr. Lewis:** Well, tell me where I'm wrong. Go ahead. I'll sit down and tell me where I'm wrong.

[3:30]

**Hon. F. S. Miller:** For one thing, it comes from the federal government. That's the reason, because he's comparing two entirely different programmes; a programme which is in another ministry, occupying space which otherwise would have been vacant, but which had been provided.



**Mr. Lewis:** Come on. Well that's really an interesting matter.

**Mr. MacDonald:** I thought this was a government restriction.

**Hon. Mr. McKeough:** You are opposed to accepting federal money for retardation; is that what you are saying?

**Mr. Martel:** Where is the money?

Interjections.

**Mr. Lewis:** As a matter of fact, if the minister wants a direct answer to his question, we are all opposed to turning the Goderich psychiatric facilities into an adult institution for the mentally retarded. It's not only the caucuses on this side of the House which are opposed to it, but the Ontario Association for the Mentally Retarded is opposed to it. The working group associated with Huron and London related counties says:

The decision to use the Goderich institution as a mental retardation facility was made in an arbitrary and political manner without any consultation whatsoever with the Ontario Association for the Mentally Retarded or the London district working group.

They refused to participate with the minister on it—because they want no part of that.

Now first talk to us about the ministry's restraint programme. Does the minister mean it is all right to cut back in the Ministry of Health, and then the government can spend further in the Ministry of Community and Social Services? Does the minister know why he opened up Goderich as a facility for the adult mentally retarded? For the worst possible reasons; so he could get 50 per cent of the cost funded by the federal government. That's the motive.

He's already got four major centres for the mentally retarded in the vicinity of Goderich. Nobody in the world suggests he should be setting up a centre for 150 adult retarded of Goderich. What kind of community value is that? What kind of good faith is that for the mentally retarded?

**Mr. MacDonald:** They'll close it down next year.

**Mr. Lewis:** The fact of the matter is that the minister has rationalized his services as follows: He destroyed an excellent psychiatric unit, he dislocated a community, he has thrown a number of adolescents and children who were in treatment out of the continuity of treatment, he has set out a centre for the

adult retarded at Goderich which is not wanted and makes no sense in economic or human terms; and he ends up spending \$527,000 more than he spent before. The figures are exact and I challenge the minister to deny them. He wouldn't give them to me.

**Hon. Mr. Taylor:** You are wrong.

**Mr. Lewis:** When I wrote to him, he wouldn't give them to me. I had to phone the civil servants to find out what they were.

I just want to go to my speech for a few minutes, just to show the minister what he has done. In Northeastern, these are the figures.

By the way, what I didn't say, because it was a moment of charity, is that these figures do not include the alcoholic services, which he is committed to allocate in other locations in Goderich. All of these figures don't even include that; in fact it will cost much more. He dismantled a psychiatric model of a first rate kind and ended up spending more of the taxpayers' money to do it; and got less both for psychiatry and retardation. His people are economic incompetents.

Let me tell you what he did at Northeastern, because here again the Ministry of Community and Social Services was good enough to give us the figures. One day they will give the minister the figures, then he'll be able to understand; if the ministry ever develops the figures itself for the minister.

In the Northeastern example, the total annual cost for Northeastern, when he closed it down, was \$3,445,000. The expenditures necessary to implement and maintain the proposed programmes are: \$1,272,000 for staff and variable costs at North Bay and vicinity; \$500,000 adult ward psychiatric unit at Northeastern—that's 20 beds—and child and adolescent programme costs at Northeastern, \$398,000. The cost of the mental retardation resource centre, from the ministry, is \$1.4 million budgeted, giving a total cost for Northeastern of \$3,571,000; which is exactly \$126,000 more than he said he was originally paying.

Don't give me this intellectual hokum, this financial nitwittery about if it is moved into Community and Social Services it's all right. Again, the minister is setting up a mental retardation institution in a place where it was not sought and it is costing more money. For all I know, the minister is going to get a schedule 2 facility so he is not going to call it a schedule 1 facility.

**Hon. Mr. Taylor:** No, it's a resource centre. It's not schedule 1 or 2.

**Mr. Lewis:** They were forced to the alternative.

**Hon. Mr. Davis:** That's not what the member said in my office. Remember, I was there.

**Mr. Lewis:** The working group in Timmins-Porcupine said they would have a psychiatric and retardation facility of equal beds or more beds than the psychiatric side. They never agreed to an institution which is primarily for the retarded. That was the government's doing. They have to accept it to save jobs.

**Mr. Riddell:** Perhaps they didn't like the system.

**Mr. Lewis:** That's what the government told them.

But let me come back for a moment. What isn't included in this, because again we didn't feel it necessary to drive the nail through the wall is the cost of the alcoholism programme which the minister says will retain its current level of service. It doesn't include, let me read from the minister's release: "Regional psychiatric teams, staffed by health workers from the communities being served, will provide outpatient and daycare service for residents of Timmins, Kapuskasing and Timiskaming." Where are the costs for that?

At the very least the attacks on Northeastern and Goderich result in a loss overall—or in an additional expenditure, because I suppose more money spent on people isn't a loss—but an additional expenditure of something close to \$¾ million. Now that takes some doing, and it's going to be more when we add in all these ancillary facilities. It's something that we warned the minister about at the outset and he laughed it off at the time. Let me not belabour it further.

**Mr. Riddell:** Even Charlie MacNaughton warned you of the fallacies of your system.

**Mr. Lewis:** Who was that excellent lawyer in Goderich?

**Mr. Gaunt:** Jim Donnelly.

**Mr. Lewis:** Jim Donnelly, who was before the Workmen's Compensation committee; I think he's another good Tory.

**Hon. Mr. Davis:** Don't hold your breath.

**Mr. Lewis:** Jim Donnelly was positively ashen at the—

**Mr. Nixon:** The Donnellys are all going Liberal.

**Mr. Lewis:** That's all right, because the Liberals are all coming to us. It matters not as long as it's an even flow.

**Mr. Nixon:** If we get the Tories and you get the Liberals we are ahead of you, buddy.

**Mr. Lewis:** Let me just move quickly to Durham.

One of the things the minister didn't point out—I don't know whether it was pointed out to the Premier—was that Durham is one of the very few hospitals in this province which showed a budgetary surplus, which has come in under budget every single year since 1971. It saved the Province of Ontario \$58,000 in 1971; \$53,000 in 1972; \$39,000 in 1973; \$14,000 in 1974; and \$20,000 in 1975. It saved a total of almost \$200,000 over five years on budgets which had been approved by the ministry; and as a way of thanks, the minister closed them down. That's appreciation and a half. That's a smart way to deal with a small community hospital.

**Mr. Shore:** That is why they are closing them down; they don't want any of that stuff.

**Mr. Lewis:** The minister sent them letters saying there is a chronic care shortage of some 34 beds in the county and then pointed out that their rate of chronic occupancy was running at about 29 per cent. Anyone else might have tried to mesh the two.

For their surpluses the minister penalizes them; for their chronic care vacancies he penalizes them. There was no rationality when it came to Durham.

At Clinton, the minister took the single, most efficient hospital in the entire Huron county community, and because it was efficient and because it was the centre geographically, he closed it down. Again, it's very hard to comprehend the behaviour of the ministry. The minister said that if every hospital was operating at 90 per cent level of efficiency in the surrounding area they might be able to absorb the patient flow from Clinton.

**Mr. Nixon:** Maybe Charlie MacNaughton had something to do with that.

**Mr. Lewis:** Ninety per cent efficiency is five to 10 per cent higher than the Handbook of Hospital Administration recommends, and it is clearly not the kind of rationale on which to base a hospital closing. The Clinton closing, which I want to discuss more fully when we get into the estimates again, is a really serious violation of good health delivery.



Then there is Paris-Willett. The member who represents the community will doubtless be engaging in debate with the Minister of Health at some point during the supplementary Health estimates, Mr. Speaker, but you know, again your Ministry of Health is really quite something. Brant county is right in the midst of a long-term care study. It is chaired by a lawyer in Brantford—what's his name?

**Mr. Nixon:** Lefebvre.

**Mr. Lewis:** It is chaired by Mark Lefebvre in Brantford. They have just produced their first set of figures. It's one of the best health care studies of the county you could find, and right in the midst of it, without so much as an inkling of what was coming, the minister closed down Paris-Willett. Did the minister look at the material provided in the process? Does he realize that he has a memo from the Ministry of Health to the long-term care study group, dated Jan. 12, 1976, and another memo to the long-term care study group dated March 1, 1976; and does he know that those memos contain different figures? Does he know that those memos, prepared by his own Ministry of Health staff, contradict, directly the bed-use allocations which the long-term care study group had provided—bed by bed, chronic instance by chronic instance—and that it shows that the minister's calculations are entirely off base?

Does the minister know that he uses different population estimates in the various memos which he provided for the hospital and for the long-term care study? Does he know that he says in one of his memos that the Paris population in this last year dropped by 800 people? Is that so? Did Paris's population decline by something like 800?

**Mr. Nixon:** No.

**Mr. Lewis:** Who would have thought it?

**Mr. Nixon:** Serious error in the statistics in the ministry.

**Mr. Lewis:** Is there a serious error? I would have thought it was an error. It is not so much in my mind whether it's serious or dramatic.

**Hon. Mr. McKeough:** You haven't left town yet.

**Mr. Lewis:** It is rather interesting that the minister underestimated Brantford's population sufficiently to have elicited a letter from the city protesting what the minister had done.

**Mr. Nixon:** Ten Tories left. They finally gave up.

**Mr. Lewis:** The minister underestimated Paris's population sufficiently to make one wonder about the closing down of the hospital, and yet he goes ahead and closes it. As I say, we will get into the figures later on, but it is really a matter of some interest that that is the way his outfit operates.

Then we come to Doctors Hospital. Doctors Hospital shouldn't have been closed, in our submission, for the simple matter of the ethnic and immigrant community which it served, which no other hospital can serve as well. You don't take low income, terribly vulnerable groups of people like those living in the area to which Doctors Hospital was most supportive, and close down Doctors Hospital.

**Mr. Martel:** Maybe the Premier can take them over to Italy next year.

**Mr. Lewis:** I want to point out to the minister that, again, he keeps changing his figures. He might think it is highly comical, but it is not comical to those who have to deal with it.

In his speech back in February the minister said there were some 400 surplus beds available in the city of Toronto. In the note which he sent out he uses the figure 512. Henderson says there was a deficit in his report.

Sometimes the minister says city of Toronto, sometimes he says Metro Toronto. He uses different and interchangeable figures with different definitions every time one reads him, and he does it all with bravado and panache; but none of it compensates for throwing 554 people out of work, hardly any of whom will have an opportunity to find re-employment in the hospital system; none of them.

The minister says so easily that the patients can go to the hospitals in the surrounding vicinity. Again, we were kind of interested in that. So we phoned every single hospital in the city of Toronto and spoke to the administrator, and where we could we broke it down ward by ward, based on the minister's calculation of occupancy rates.

[3:45]

Perhaps we could agree with something at the outset. When the immigrant community were asked which were the hospitals to which they would most likely go if Doctors closed down, the only three hospitals of which people were aware in the whole Kensington area were Western, St. Joe's and TGH. There was some sense, vaguely, of Sick Kids. But those were the hospitals. I think the minister

would agree with me that the hospital they would primarily be aware of is Western because it's closer and it speaks to an adjacent population.

Can I tell you something about Western? Western is running at 90 per cent occupancy now. The average beds in daily use at Western are 516 for every single ward and area of the hospital. There are six beds available before you reach 90 per cent in the obstetrical and gynecological ward, and that's it. The one hospital to which all of Doctors is most likely to be referred is running at 90 per cent occupancy now. Does that make sense to you? It makes no sense to us at all, none at all.

The next hospital, St. Joe's, would have a surplus of 70 beds on a 90 per cent occupancy rating. But those 70 beds are kind of illusory when one remembers that the ministry just reduced St. Joe's budget by \$1,229,000. What's that going to mean in terms of beds and staff?

At the Toronto General Hospital, which is already largely outside the appropriate area, there are 61 beds available at a 90 per cent occupancy rate, but the ministry just cut Toronto General by \$913,000. What's that going to mean to beds and staff?

No matter how you look at it, the 90 per cent occupancy formula itself doesn't satisfy the patient need for Doctors Hospital. I raise it, not because patients won't be cared for, because in the Minister of Health's (Mr. F. S. Miller) tough and, if I may say, fairly roughshod way, patients will obviously find their way somewhere, however excessive the additional costs may be.

What the minister of Health never took into account was a serious appraisal of the alternatives. He didn't take it into account before he closed down the hospital. He closed down Doctors Hospital and said to them: "We will do everything we can to find alternative jobs for you." That came from the Minister of Health.

I was in that hospital one month later and in the entire month not a single member of the ministry's staff had been in touch with anyone from Doctors Hospital to see about alternative job placement. Does the minister call that good faith? He walks into a hospital and says: "You are closed down April 1, or as close to it as we can achieve," then an entire month goes by and he doesn't look at the placement of staff.

**Hon. F. S. Miller:** Do you know why?

**Mr. Lewis:** I don't know why.

**Hon. F. S. Miller:** They are waiting to see the Premier (Mr. Davis).

**Mr. Lewis:** Oh, they are waiting to see the Premier, doubtless to receive a reprieve from the Premier. It is just a terribly cynical way of approaching the closing of community hospitals.

**Mr. Grossman:** Mr. Speaker, on a point of personal privilege, I think as the member of this Legislature who up until this point has certainly been most vocal in opposing that closing—

Interjections:

**Mr. Grossman:** Just wait until you hear the point of privilege. I certainly will be carrying this forward when we do get to the Health estimates. I think it's only fair to point out to this House that specifically in my discussions with the minister I have understood that that right of appeal was indeed still open until the board of directors goes in and sees the Premier, which is shortly. Until that time, as the member for the area, right or wrong, I have said to the minister that I don't want to discuss alternatives until it becomes final, I have said to him, "Please don't discuss alternatives. Leave the hospital intact, because if the hospital is broken up by way of some of those people finding alternative jobs, then the thing is useless."

**Mr. Speaker:** This is becoming a speech not a point of privilege.

**Mr. Lewis:** All right.

**Mr. Riddell:** Maybe I should get up now, Mr. Speaker.

**Mr. Lewis:** Why not? To you I would defer willingly on such a matter as this.

I must say to you, Mr. Speaker, that the behaviour of the minister varies depending on the institution. In the case of Goderich, which also had the right of appeal, the minister was in there so fast with his personnel directors, setting out what he calls quaintly enough, "staff surplus forms." I visited the hospital on the day the minister was doing the interviews with staff surplus forms while he was still allegedly reconsidering what was going on. It just depends on where the pressure comes from and how the minister might respond.

The fact of the matter is that Doctors Hospital has been dealt with in bad faith from beginning to end. Even the business about rebuilding at a cost of \$15 million is largely misrepresentation, because the rebuilding which Doctors Hospital was after had the approval of the Ministry of Health as a new model—as a new experiment—for the delivery of family medical services within a hospital



setting. It was not a rebuilding in any sense in the classic rebuilt hospital tradition. And the minister has used that—worked out in good faith with him—as a club to beat them about the head with.

These hospital closings have no rhyme, no reason; they are costly, they are futile, they are destructive in human terms. I don't understand why the minister has pursued them. When it was raised with him in the Legislature the other day, the minister said, "Don't laugh at \$9 million. You have to start somewhere."

Mr. Speaker, that kind of thing pretty nicely sticks in the craw of a lot of members of the opposition. If we are dealing with health, I can tell you we would start somewhere else. But even if we are not dealing with health, it was quite fascinating to pick up the press reports on the weekend on the Provincial Auditor's report and to find that the German loan we had negotiated several years ago cost the people of Ontario an additional \$9 million this year.

Mr. Martel: Morty warned you.

Mr. Lewis: I couldn't help but smile to myself as I saw how the figures were coincident. Like my colleague from Sudbury East, I remember back to the days in this Legislature when the then member for High Park said to Charles MacNaughton, John White and Darcy McKeough, "It is going to cost Ontario millions to engage in this West German loan." And he was laughed at and ridiculed.

The fact of the matter is that at precisely the moment the government saves \$9 million on small community hospitals, it throws it out on a loan that never should have been negotiated in the first place and about which the government had plenty of advance warning.

Mr. Martel: They had all the answers. They are so bloody arrogant—

Mr. Lewis: It is absolute and total fiscal mismanagement in every sense. Everything that has been done in the Ministry of Health, with respect, has been done impulsively and to compensate for past transgressions. I want to tell the minister that we do not agree with his ward cutbacks or his budget staff cutbacks either, because we have not seen the justification for any of it yet in a serious and documented fashion and we will not embrace it under any circumstances until we do. I know the leader of the Liberal Party said to the minister, through the press conference, that he was sure the minister had the material and

hoped he would reveal it some day, but we haven't seen it.

I would imagine that the fellow from Owen Sound who sits over in the Liberal Party wonders how the minister can cut another \$443,000 from the Owen Sound General and Marine Hospital, as the minister announced a few days ago at precisely the same moment that he closed down Durham and Chesley. Now there is an artful achievement! A hospital has been running at overcapacity, the minister closes down two hospitals nearby and cuts its budget by nearly half a million.

I imagine the people in Peterborough wonder about the cutting of the Peterborough General Hospital by \$550,000 when there were 412 psychiatric admissions last year to medical and surgical beds in Peterborough, so pressed were the circumstances. And the minister cut back in Whitby and in Kingston, and the extension of the Peterborough psychiatric wing from 25 to 68 beds is not taking place. There is no rationality even in the minister's individual cutbacks—at least not that we have been able to see.

Mr. Martel: How about Parry Sound?

Mr. Lewis: So the reality is that the minister shouldn't ask us to support any of what he has done. And when he calls on my colleague from Parkdale (Mr. Duksza) and talks about what he said about one out of five beds, let me remind the minister, since he has quoted him out of context so often, what it sounds like when one quotes him in context. This is what he said on page 11 of the speech which he delivered in November in leading off the Health estimates debates:

However, let me tell you very plainly, Mr. Minister, that although you and I both agree that this type of patient does not belong in hospital, that is, chronic or convalescent patients, you cannot cut one in five beds until you provide alternative community-based services. You are taking a real risk with your heedless unplanned economizing.

That's the part of the member for Parkdale that the minister never read. So "one out of five beds," he read, but that he should not cut them until he has alternatives, that he is always willing to overlook. That of course is central to the position we have taken. If you want to rationalize something to do with beds, you have got to provide the alternatives and that is clearly the heart of the matter. There is no fundamental planning in the minister's whole health system. There is no courage to come to grips with the health delivery system generally. He has chosen to cut back on hospital beds but not to deal in a principled and single-minded fashion with the real problems within the system. The minister is not



willing, in other words, to deal with the doctors.

Well, I want to tell the minister, that we think health costs in Ontario are probably about right. I don't think we are willing to panic. I don't think they can skyrocket but the minister knows that, as a percentage of the gross provincial product, health costs in 1971 were 4.7 per cent and, as a percentage of the gross provincial product, health costs in 1975 are 4.8 per cent. That's hardly a dramatic leap, is it? Around five per cent of the gross provincial product. That's not unfair for health. The minister will know that in 1971, as a percentage of the total budget, health represented 29.7 per cent, and in 1975 estimates for health will represent 26.3 per cent—a budget percentage of 25, 26, 27 per cent; around a quarter of the expenditures for health, I don't think that's unreasonable, so long as we continue to rationalize and economize, within the system, in a way which makes sense. Those are the ways which take some courage and those are the ways which you, as a ministry, are not prepared to engage in.

We talked often in the past few days—if I may recall to the minister's mind, because I want to deal briefly with one area of cut-backs—of private labs and I want to do a calculation for him, a very simple calculation. If the private lab costs, through OHIP, have gone up 15 per cent a year as they should have at maximum from 1972, we would have saved, in this province, \$65 million. Even this year, had they gone up 15 per cent, we would have saved between \$35 million and \$40 million, this year alone. That's equivalent to all the minister's cost-cutting, inflated though it may be, right across Ontario and yet he let it happen. We continue to pay, on this side of the House, for the transgressions of his government.

I wonder if he remembers the words of Dick Potter in the Legislature on June 20, 1972? May they haunt the government for some time to come. My colleague from Riverdale (Mr. Renwick) had just engaged in questioning the then Minister of Health about the private labs and about the regulations and this is what Mr. Potter said:

As was asked here a minute or two ago, under section (f) of these regulations "prescribing classes of persons who shall not be owners of laboratories or have any interest therein," I for one do not believe that any physician, any practising physician, who is practising medicine should be involved in any connection with laboratories, any more than I think he should have anything to do with nursing homes.

This is one of the reasons we have put this in the regulations. . . . By the same token, under section (m), which was questioned, "instituting of a system for the payment, by the province, of all or any part of the annual expenditures of laboratories . . ." I think this is one method that I would like to consider [the budget method] for the private laboratories to get away from the fee-for-service basis. Under a system such as this we could get away from the suggestion that was made here earlier today of the kickback and this type of thing.

I think that the public must be made aware that health facilities and health services, as we are providing them for the citizens of Ontario, are for the citizens; that we are not providing them as a method of making a fast buck or as a convenience for either the physician or the patient; that we are providing them as a needed service and as such we are not going to stand by and see some individuals make a racket out of it or make a lot of money out of it. I expect anyone to make a decent salary and a fair profit, but I don't expect people to make a killing out of some of these things that are necessary for the rest of the citizens of Ontario.

[4:00]

June 20, 1972, to March 1975; the people of Ontario have thrown \$65 million down the drain in the interim, courtesy the government of Ontario. It has closed small community hospitals. There is something really wrong with the government. I have never understood how ineffective, incompetent, inadequate, and inefficient its members are as managers. They've planned the economy badly. They accrue enormous deficits but still pay no attention to any commitment they make to the Legislature at an time.

By working away at it, needling at it, constantly riding it, we end up finding out that Goderich and Northeastern will cost more, and the labs have saved nothing and cost a lot more. This government goes from profligacy to spendthriftery one day after the other as only the Tories can manage.

I want to say to the government, neologism aside, that I really don't think the government does itself any credit by discontinuance. There is something profoundly repugnant in the operations of the Ministry of Health that it should have closed down those four little public health labs without ever trying to rationalize them within the system for a saving, so-called, of \$400,000 while it trifled away \$65 million—\$35 million of it this year.

Where are the scruples of the Ministry of Health? Where are the regulations? When is it going to behave reasonably in a reasonable province?

As we look at the cost-cutting that could have been done, like that of the private labs, lo and behold, we discover unnecessary surgery in Ontario coming forward as yet another nightmare situation.



I'm sure the Minister of Health (Mr. F. S. Miller) read the comments of Sidney Katz in the *Toronto Star* on Saturday and today, and doubtless for the next three or four days. Our hope, through you, Mr. Speaker, to the minister, is that he noticed that it is felt OHIP spends about \$124 million a year more than it need spend on unnecessary operations.

I have no horror stories for the House; I don't know of any. I must say that I cannot make all of the assessment. Obviously, none of us can, but the experts can.

Katz has approached the experts. Some have made appropriate surgical comparisons. It is obviously clear that we could be saving an enormous amount of money for health in Ontario on unnecessary surgical procedures if we were willing to do anything about this field.

But we're not, are we? It's like every other field. It means taking the doctors on. It means dealing with the medical profession. It means dealing fundamentally with the health delivery system. How much easier it is to trot, canter, or race into some little community, meet with its defenceless board of directors, and close it down. That's a lot easier than confronting the problems and excesses of the system itself because nothing ever happens when you deal with the major thing. All we get are general homilies and general promises.

On Friday morning last, if I'm correct, the leader of the Liberal Party (Mr. S. Smith) dealt with statistical data on unnecessary surgery and referred specifically to Dr. Eugene Vayda who practices in Hamilton and who teaches, I guess, at McMaster. He had done a five-year analysis of surgical rates in the Canadian provinces. His analysis of surgical rate comparisons, the minister will know, is a very complex and difficult one, requiring skill and expertise. Dr. Vayda's paper of the period 1968 to 1972 submitted to the American Public Health Association, 104th annual meeting on Nov. 18, 1975, is a milestone in the field of a succession of papers. I call it a milestone. It was his second study; the first was the comparisons with England and Wales. It wasn't just Dr. Vayda's paper, it was also submitted by Mary Morrison, MA, and Gary D. Anderson, PhD. The reason I mention that with some considerable pride is that Mary Morrison, MA, is now working with the New Democratic research group. She was good enough to use the expertise gathered in this paper, which she submitted with Dr. Vayda, to do

a number of comparable analyses for us on the related jurisdictional comparisons. I would like to share some of them with you.

I must say that it has been quite a learning experience for me. I didn't realize the extraordinary range of studies that have been done in this field in surgical rate comparisons. These comparisons have been related to disease incidence, to differing indications for surgery, for the organization of practice, to the degree of internal audit, to the characteristics of personnel doing surgery, to social class, and to availability of hospital beds and surgeons. In other words, there is an enormous literature and some awfully good studies, and many of them tend to show the same kind of things.

Hastings and Co., who did the study in 1970 of the Sault Ste. Marie plan on health insurance, which was published in the *Canadian Journal of Public Health*, pointed out the extraordinary savings in the group health plan for the performance of tonsillectomy and adenoidectomy. It was Pearson who, in the *Lancet* magazine in 1968, compared the hospital caseloads in Liverpool, England, and in Upsala, for tonsillectomy, appendectomy, hysterectomy, and gall bladder. I am not going to try to pronounce cholecystectomy—although I didn't do badly on that particular effort.

The minister will also know that in Saskatchewan, in 1970, the range of hysterectomy operations being performed really worried that province. So they set up an audit committee at the centre composed of representatives from the Saskatchewan College of Physicians and Surgeons and the government. Slowly but dramatically the rate of those hysterectomy operations has been dropping from 1970 to 1973, so that now the rates are significantly below those of Ontario.

The minister will know perhaps that in the *American Journal of Public Health* there was a special study on the steelworkers; you may know that the *Science Journal*, 1973, carried a study of variations in health delivery parameters among regions in Vermont, on tonsillectomy, appendectomy, gall bladder and hysterectomy; that a chap named Lewis, in the *New England Journal of Medicine* in 1969, did the same among various regions in Kansas. Then there was Dr. Vayda's major study in the *New England Journal of Medicine* in 1973; and on England and Wales in 1968.

If you take the rate ratios between 1968 and 1972, as they compare among provinces,



or as they compare between Ontario and the United States, or between Ontario and England and Wales—not the rates, but the ratios, which are the important factors here—then you find for the Province of Ontario a fascinating number of areas of improvement. For instance, the ratio of surgery in the United States for Ontario, Ontario surgical procedures in the area of tonsillectomy and adenoidectomy, are 1.36 times that of the US across the board, appendectomy 1.34; hysterectomy 1.1; gall-bladder operations 2.01.

Now take that ratio and compare it to the total operations done in the United States and in Ontario on equivalent years and assume that even if there are changes in years, the ratios remain the same. If you look at the dollars you would save through doctors' fees, and the dollars you would save on hospital days—let me show the House how it works out, because it might interest the members.

On tonsillectomies, we would save a total in doctors' fees of \$715,000 and a total in hospital days, in dollars, of \$2,755,000. In hysterectomies and appendectomies, we would save in doctors' fees, \$434,000, and in hospital days, \$2,719,000. In hysterectomies we would save in doctors' fees, \$419,000, and in dollars in hospital days, \$2,445,000. In cholecystectomies—gall bladders, that is—we would save in doctors' fees, \$3,027,000, and in hospital beds, \$17,244,000, for a total saving for the Province of Ontario of \$29,761,000 in medical fees and days saved from hospital on a comparison of the 1972 Ontario rates—actually it's the 1974 operations but the rate relationship with the States is 1971-1972. The United States is considered to have high surgical rates because of the absence of health insurance and because of the fee-for-service practice and the entrepreneurial activity and behaviour of the States.

Let me take it a step further. If you make those comparisons Ontario with England and Wales—and they standardized for both; I won't go into the details, I would like to send it to you—your savings on tonsillectomy, hysterectomy and gall bladder in this jurisdiction would be \$57,170,000 if we used operative rates here that they use in England and Wales, based on the ratios that these doctors have related.

We also did a comparison with every single province in Canada for those operations where the ratio of the performing of the operation, the number of operations performed relative to population, was lower in those provinces than it was in the Province of Ontario, and it might interest you to know the cost savings

that would occur. By comparison with British Columbia, we could save \$4,674,000; with Alberta, \$624,000; with Saskatchewan, \$129,000—but that's without realizing the extraordinary drop in their hysterectomy rates, which would mean a much greater saving for Ontario; with Manitoba, \$8 million; Quebec, \$4,698,000; New Brunswick, \$971,000; Nova Scotia, \$1,710,000. The Newfoundland comparison is probably not fair, because the ratio of surgeons to population is so much lower that that would account for a low rate of surgery. But the other comparisons, on the basis of the actual surgical rates in given procedures, are fair.

It raises the very important question: Can and should Ontario be saving significant amounts of money by an attempt to scrupulously audit and monitor excess or unnecessary operations performed in this province? I think we should and my caucus colleagues think we should. It may be that you think we should, but if you do, it means that the medical profession as a profession must be confronted head on with the reality of what is occurring. Because if we want to save several million dollars on the basis of a comparison with another province, or as much as \$29 million in a comparison with the States, or even more if we choose jurisdictions further afield, then it is absolutely vital that you confront the medical profession and that your confrontation with the medical profession doesn't consist solely of unnecessary operations but ranges over the whole field.

My colleague from Parkdale (Mr. Duksza) had said, in his very recent presentation to you last week, and I quote:

Health care spending is controlled by doctors. Virtually every single service which the Ministry of Health budget pays for is accessible only through a doctor. Why then, to cut spending, are we only cutting hospital beds, public health labs and psychiatric services?

The question, it seems to me is unanswerable. The question is unanswerable. So we would wish to cut services by using the private labs; we would wish to cut costs by using the reduction in unnecessary operations and we provide for the minister the following:

[4:15]

A careful examination of the excess in the major teaching hospitals; a scrupulous review of the teaching hospitals and the way the money is being used rather than the smaller community hospitals. We commend to the minister, second, a whole assessment of the specialist concentration in Ontario, because specialists who emerge through tertiary care



teaching hospital facilities perpetuate the syndrome endlessly and invariably the costs are higher than they need be. That requires, again, a confrontation of all the health care deliveries which the minister has not been prepared to make.

We ask the minister to take a look at the nurse practitioner and paramedical personnel, independent of their subordination to the medical profession and particularly the surgical profession, in order to see where costs can be cut. We suggest to you home care and community clinics, which are hardly off the ground. Ontario has not experimented seriously in one-day surgery or in day care for those not requiring 24-hour care.

Ontario has not made a serious effort to control drug reactions in hospital, which eat up an enormous number of hospital days and may be as unnecessary with more scrupulous supervision as are unnecessary operations. We ask you to review the whole of the fee-for-service argument and, naturally, to effect that range of chronic and convalescent care facilities which will take the pressure off active treatment beds and lower costs.

Mr. Speaker, through you to the minister, what we're saying is, take on the whole health delivery system. Don't just eat away at the most vulnerable edges in community hospitals and ward and bed cutbacks. Don't throw 5,000 people out of work on to the unemployment insurance rolls in the name of cost saving, because it will not wash and it makes no sense and it's positively cruel to boot.

We're saying to the minister, call the medical profession in and talk to them and deal with them. I've always felt that if that was ever done in a serious way they might help greatly in rationalizing the health care delivery system in Ontario. What we're really saying to the minister, in brief, is that he is dealing with a massive system purely by way of trivia in a fashion that is destructive and harmful. If we have a health care delivery system which needs alteration then for God's sake deal with the fundamentals of the system; deal with the profession; reduce the costs dramatically and stop throwing people out of work and closing down hospitals illegitimately.

Although the Minister of Community and Social Services (Mr. Taylor) has taken his leave he's a man who, like the Minister of Health, tends to run to excess on certain things. This is what's interesting about the Tory party—if I can be provided an aside, and I guess I can because I'm speaking. I don't really understand why it's kind of out of control. I don't understand why it takes a

position and then drives it past the point of no return.

I just don't understand why it is not possible any longer to deal in the realm of reason rather than the realm of irrationality. And when the Tories take hold of something they tend to run to excess and health care has moved to services to people, where they are reducing services, frontally, in what can only be described as a welfare-bashing technique. They're handling it with the same arbitrariness and unilateral behaviour as health. I noticed over the weekend the Premier (Mr. Davis) was trying to explain to some young Tories that the Minister of Community and Social Services wasn't really understood. I should say the minister is obtuse and incomprehensible, and those are words used with affection.

I must say to the Treasurer (Mr. McKeough), who is here handling the front row in the absence of the Premier for the moment, that I don't particularly want to extricate the Minister of Community and Social Services from the trenches where he is fighting his personal war against services to people. Some day the minister is going to be able to tell us where that 5.5 per cent figure came from—what tree he plucked it from. His revenues are going to be 15.7 per cent up in the next fiscal year. His budget is going to be 10 per cent up. The municipalities are going to get 8.1 per cent. He is providing 5.5 per cent.

**Hon. Mr. Taylor:** Some day you are going to be interested in the facts, instead of political posturing.

**Mr. Lewis:** That is not fact?

**Hon. Mr. Taylor:** I will provide you with facts if you want to ask me questions.

**Mr. Lewis:** I will provide the minister with facts as we go along—and then he can refute them.

**Mr. Speaker:** Order, please. The hon. Leader of the Opposition.

**Mr. Lewis:** The minister's 5.5 per cent increase has been applied most damagingly to the most vulnerable areas. And in its own way, the single most vulnerable area, if I may say, are the Children's Aid Societies—and the minister is really quite something. He never really changes his position. He only pretends to change his position by that phenomenal embroidering of language; that discursive use of words which tries to convey something slightly different to everyone who hears—and usually does. But does he recall his statement on Feb. 16 last? He said under Children's Aid

Societies: "In this area it is anticipated that all societies can live within the guidelines." He then went on and said that it isn't understandable why the Metro Children's Aid Societies cannot live within the guidelines when others can.

**Hon. Mr. Taylor:** Read the rest of it.

**Mr. Lewis:** Well, that's a fair interpretation. The minister then went on to mention section 8 of the Training Schools Act, and—

**Hon. Mr. Taylor:** "And that no persons," etc.

**Mr. Lewis:** And that no person, etc., would be damaged.

**Hon. Mr. Taylor:** Would suffer—and they won't.

**Mr. Lewis:** He said that every Children's Aid Society can live within the 5.5 per cent. Then when he was under public pressure, and he spoke to the Catholic Children's Aid Society, he said that maybe he would have to provide special support for the society.

**Hon. Mr. Taylor:** I said consistently for two months that I was seeking additional funding.

**Mr. Lewis:** Sure, you said that if you got some more money from section 8. And then the Toronto Star goes to you and you got a story on Saturday which says: "No Change On Ceilings: Taylor." Your picture is there too—yes, an excellent picture. It says—

**Hon. Mr. Taylor:** Not a bad one, either.

**Mr. Lewis:** "—James Taylor, Social Services Minister, yesterday angrily denied he has altered his stand on provincial spending ceilings for Children's Aid Societies." Is that correct? Did you angrily deny it?

**Hon. Mr. Taylor:** I am never angered.

**Mr. Lewis:** No.

**Mr. Bounsall:** Did you deny it?

**An hon. member:** Did you happily deny it?

**Mr. Lewis:** As a matter of fact—

**Mr. Foulds:** Hysterical but never angry.

**Mr. Lewis:** —you said it is "bloody nonsense" to suggest that you were intimidated into reducing the ceilings. "Bloody nonsense." If that is not anger, it is at least petulance—and it speaks a lot of the way you have been handling this issue.

**Hon. Mr. Taylor:** I had you in mind at the time.

**Mr. Speaker:** Order, please. I wonder if the hon. member would speak through the Chair. Thank you.

**Mr. Lewis:** Yes, I am speaking through the Chair, Mr. Speaker.

The fact of the matter is that no one can trust what the minister is doing in the area of services to people. No one can trust what he is doing in that area. The 5.5 per cent limitation is obviously going to be upheld; he may provide some few additional dollars under the Training Schools Act. We'll wait and see how his meeting with the Metro Toronto Children's Aid Society tomorrow morning at 9 a.m. works out. We will wait to hear the reports on that.

**Hon. Mr. Taylor:** There will be sensitivity and compassion.

**Mr. Lewis:** But it may be said, Mr. Speaker, that any minister—I wish I could pick up all those interjections so they would be enshrined in Hansard rather than lost to eternity.

**Mr. Nixon:** That is somebody else's responsibility.

**Mr. Bullbrook:** We can and you are not missing anything.

**Mr. Lewis:** Can you pick them up? Thank you.

**Mr. Bullbrook:** He should really sit back and quietly squirm.

**Mr. Lewis:** All right. The damage that is being done by this minister and his ministry to services to people across the province can't really be described adequately, but it continues day in and day out, and it's based on bad faith and outright political dishonesty—

Interjections.

**Mr. Lewis:** —not attributable to any one person but attributable to the character and conduct of the negotiations.

I want to read the minister something for the Metropolitan Toronto Children's Aid Society which the minister sent to them on Dec. 16, 1975, and it picks up in a discussion we were having in the Legislature at question period a couple of days ago. He said:

The report of the child welfare review committee on the 1975 estimates of the Children's Aid Society of Metropolitan To-



ronto was submitted to me by W. R. McMurtry, QC on Nov. 28, 1975.

I have now had an opportunity to review the report in detail and I wish to advise you that I'm accepting the recommendations of the committee, which in monetary terms amount to \$19,431,000, and to recommend to Management Board the approval of your gross estimate to the amount of \$19,431,000.

The minister recommended it to Management Board based on Bill McMurtry's report. Then he goes on in the very next paragraph and says:

In making the decision outlined above I must advise you that we have continued concerns about the 1975 growth rate of the Metro Children's Aid Society and its effect on child welfare expenditures across the province and I have therefore directed that the guidelines for 1976 growth in child welfare are to be applied to your agency on the basis of the ministry's original recommendation to approve your 1975 estimate at \$19,006,000.

In other words, you recommend to Management Board, on the basis of a review chaired by none other than Bill McMurtry and signed by the majority, the figure of \$19,431,000 and you say that an increase will be based on \$19,006,000. Do you know what that is? That's gross bad taste. That's what it is.

**Hon. Mr. Taylor:** That is what you say.

**Mr. Lewis:** It is utter, unrelieved irresponsibility. It is very, very depressing in some ways. I just can't imagine the way the minister operates. But clearly there is something wrong with his ministry, at its soul, in the fashion in which it is dealing with these various Children's Aid Societies.

I want to say to the minister that I met with the board and senior staff of the Metro Toronto Children's Aid Society some time last week—I can't remember the day—or the week before. When they had set out for me and my research colleagues the kind of cost-cutting they would have to experience, courtesy of you, I honestly felt like coming into the Legislature—I know this sounds peculiar—I felt like coming to see the Premier and saying: "Look, if you want your bloody majority, take it, but for God's sake stop doing what you are doing to services to people, because it makes no sense at all."

The minister is just dismantling social services all over this province, their infrastructure of preventive services, which all of us have developed over the years, including some of

his predecessors, with whom we disagreed, including the Minister without Portfolio (Mr. Brunelle), with whom we disagreed. This minister is in the process of doing more damage to services to people, and particularly the Children's Aid Societies, in two or three short months than his colleagues did in the previous decade. What the devil is wrong with him anyway?

**Hon. Mr. Taylor:** That's nonsense and you know it.

**Mr. Cassidy:** It's not nonsense.

**Mr. Lewis:** Look at the consequences of what the minister is doing for the Metropolitan Toronto Children's Aid Society, to whom by the way, he is giving only a 1.3 per cent increase; they'll be lucky to get up to 5.5 from him. But suppose they did get up to 5.5, suppose he gave them that much—and we'll wait tomorrow to see if he does—do you know what it means, Mr. Speaker? It means that they'll have to eliminate five group homes with five children in each. Who can look after them? Is his ministry personally going to look after them? It means that they have to reduce their child population in care by 35 to 40 children. What's going to happen to those kids? Where do they go? What conceivable sense does that make?

[4:30]

**Mr. Wildman:** They have to get a job.

**Mr. Lewis:** It means they have to close an admission and assessment facility. They reduced the staff at the York Cottage, two court positions are gone, additional staff of 101 positions are gone. And this is a society whose admission rate for teenagers—I'm working from memory—jumped from something like 430 to 780 or thereabouts, between 1974 and 1975. We have the most excruciatingly difficult and disturbed adolescent/child population coming into care we have ever laid eyes on. This is the society the minister is going to cut back, the 5.5 per cent? That will mean a substantial increase tomorrow morning to get them up to 5.5 per cent. What is the government doing in this field? Can I read to—

**Hon. Mr. Taylor:** We are dealing with it very sensitively.

**Mr. Lewis:** You are dealing with it with the sensitivity of lead boots. Can I read from the Children's Aid Society of Essex the effects of the provincial financial restraint? Let me just read it.

To meet the reduced budget we must:

1. Immediately stop placement of all children in treatment institutions to whom we pay a per diem.
2. Leave these children—we placed 62 children in such institutions in 1975—in inappropriate and damaging environments.
3. Remove at least 20 children from these treatment institutions by the end of June.
4. Return these children to inappropriate and damaging environments.
5. Pray [listen to this] that 5.5 per cent restraints on other social service programmes will not result in a sudden increase in the number of children having to come into our care.

Do members know what it means for the Kingston Children's Aid Society? It means that in Kingston, they are reducing the food budget for the adolescents in the group homes by \$1 a day. Does that make sense to the minister?

**Hon. Mr. Taylor:** If it doesn't make sense to you, you know it—

**Mr. Lewis:** I know it doesn't make sense to me.

**Mr. Bounsall:** Disturbed children will not be treated; they will have no place to go.

**Mr. Speaker:** Order, please. I wonder if the hon. Leader of the Opposition would direct his remarks through the Chair please?

**Hon. Mr. Taylor:** You know you are not interested in the facts.

**Mr. Speaker:** Order, please. Will the hon. minister please refrain from interjections.

**Mr. Deans:** That's very stupid of him.

**Mr. Lewis:** The hon. minister insists on saying I am not interested in the facts.

**Mr. Cassidy:** This guy is preposterous.

**Mr. Lewis:** I am giving him the statement—I have Xeroxed it—from the Children's Aid Society of Essex.

**Hon. Mr. Taylor:** I know what they say.

**Mr. Lewis:** Oh, thanks very much! You just don't give a damn!

**Mr. Cassidy:** You don't give a damn, do you?

Interjections.

**Hon. Mr. Taylor:** Do you put the young children up to writing to me?

**Mr. Lewis:** What was that?

**Hon. Mr. Taylor:** Are you putting the young children up to writing to me?

**Mr. Lewis:** Am I putting young children up to writing you?

**Hon. Mr. Taylor:** Are you?

**Mr. Lewis:** They are writing you letters?

**Hon. Mr. Taylor:** Are you using the youngsters of the province—

**Mr. Speaker:** Order, please.

**Mr. Deans:** That's absurd!

**Mr. Speaker:** Order, could we get back to a proper debate here?

**Mr. Lewis:** Yes, first I have a question and then a comment.

**Mr. Speaker:** Order.

**Mr. Lewis:** Who reads the letters to you? That's the first question. The second, through the Speaker to the minister, is: What is wrong—

**Hon. Mr. Taylor:** You had better retract that. That is worse than being simple.

**Mr. Lewis:** As a matter of fact, so it is.

**Mr. Foulds:** You are worse than being simple.

**Mr. Deans:** You are the equivalent of being simple.

**Mr. Wildman:** It's a children's plot.

**Mr. Lewis:** Do you object? Did it ever occur to you—

Interjection.

**Mr. Lewis:** Mr. Speaker, can I just put it this way? Did it ever occur to the minister that some of the letters he is getting from some of the kids who are writing—I have seen none of them and I know nothing about it—did it ever occur to him that some of those kids might be writing out of genuine anxiety about themselves or their own support?

**Hon. Mr. Taylor:** I understand exploitation of young people when I see it.

**Mr. Lewis:** Exploitation? Letters to the minister from kids is exploitation, is it? The ministry—that's what makes me want to put these things on the record because as I am standing here, and I think everybody on the opposition side understands this, the minister is not going to give on this one. He is going



to hammer these societies into submission and damn the consequences. At least the consequences have to be known.

In the case of the Kingston Children's Aid Society it means \$1 a day reduction in the food for the kids in the group homes.

**Hon. Mr. Taylor:** No one is going to suffer and you know it.

**Mr. Lewis:** They are now getting—just for information—\$2.98 a day for food. They will be down to \$1.98. It means that already one ward over 16 was refused dental treatment and a decision has been made that a child requiring orthodontic work will have to wait. It means that the camp will have to be closed. It means that the special professional foster homes will be reduced from six or seven to two or three.

Let me tell members about a case in Kingston this week that has to do with a young 14-year-old girl, pregnant and involved in drugs, who continually runs away from foster homes. She was found last week and placed in the family court temporary holding centre. There was an opening in a treatment home but it costs \$29.50 a day.

The Children's Aid Society didn't feel it could afford it and there is no place under the Children's Mental Health Centres Act, so she is to be returned to another foster home from where she will invariably run again.

Let me tell the minister about Lambton county, which wrote to him in February, 1976, and said:

We can see no way of cutting back to the arbitrary level set by your ministry without decimating our service to the community.

They are nowhere near the 5.5 per cent, but they can't come anywhere near that without decimating their service.

Once again, we would reiterate that there has been no fat to cut in the society's budget. For many years we have operated with one of the—

**Mr. Bullbrook:** They had a \$65,000 deficit last year.

**Mr. Lewis:** A \$65,000 deficit last year. Right. They said:

This was detailed in our brief to your department in the spring of 1975. Even then we were understaffed by a figure of some six workers. On top of this, we informed you at that time that Lambton county was facing a massive population

expansion due to the construction of several huge chemical plants. This in fact is now under way.

They go on and on and on as to the increase in numbers.

Our present budget is based on continuance of the current number of children in care and allows for no increase due to population explosion. This is highly unrealistic. For several years we have been developing—

I want the minister to listen to this paragraph because this speaks directly to everything they are putting.

For several years we have been developing a basic preventive programme using a combination of ministry and outside funds. Due to your cutbacks and the termination of federal government programmes, we now must eliminate this programme almost entirely for 1976. In order to reach the 105.5 per cent of the 1975 approved estimate level, there are only two cost areas which could be cut—children in care and staff. To attain the necessary further savings of \$63,000, we would have to discharge at least 31 of our current children in care for a full six-month period.

You know, they say that they will be engaged in constant contravention of the Child Welfare Act.

Does the minister know what it means for Kenora?

Kenora has what it calls its insanity list; that's how it's known in the Children's Aid Society. For Kenora to come anywhere near the minister's constraints, the "insanity list" means closing all those group homes, dismissing five staff, closing two full-time and two part-time offices, decreasing foster home payments, no staff salary increases and they are already at a caseload of 42 to one.

Does the minister know what it means to the society in Kapuskasing, in the riding of the member for Cochrane North (Mr. Brunelle), which serves an area of 100,000 square miles with 13 social workers and five group home workers? Let me tell him what it means. It means a staff reduction of 6.5, dropping a planned group home for treatment of adolescents, dropping all summer camp programmes, dropping all preventive programmes.

Does the minister want me to go on?

Society after society in this province is on the ropes. They are on the ropes at 10 per cent, at 12 per cent and at 15 per cent,

because they are required by law to look after children that are sent for care. They have no opportunity. They can't do as the minister is doing, which is to break the law.

When the minister says to the municipality of Metropolitan Toronto that he will only pay 5.5 per cent more on the basis of general welfare assistance or other social allowances this year over last, he is breaking a contractual arrangement, as the lead editorial in the *Globe and Mail* pointed out to him. The Children's Aid Societies can't break a statutory obligation; they have to provide the services.

Whether it is Toronto or Ottawa—Ottawa is talking about needing to discharge 75 staff if they have to come back to 5.5 per cent and closing six special facilities with 36 beds.

Does the minister understand what he is doing? He is engendering fear and uncertainty in preventive services right across Ontario. He is acting as though there is no tomorrow. His statements are confusing and contradictory. The societies have their backs against the wall. And when the minister's restraint programme operates at the expense of children—

Hon. Mr. Taylor: It doesn't.

Mr. Lewis: —then it is not only wrong, but it is unbalanced.

Hon. Mr. Taylor: It doesn't—and it won't. And you know it.

Mr. Lewis: It is unbalanced.

Mr. Warner: You don't care one iota.

Mr. Lewis: And so long as any of us in this party have anything to do with preventive services in the community, we will oppose the minister every step of the way on this 5.5 per cent cutback. We will fight him here in the Legislature. We will fight him in the presence of the societies. And if we have to, and with pleasure we will fight him on the hustings over it.

Hon. Mr. Taylor: Now you'll start to say something.

Mr. Lewis: I await the minister's reply and acquiesce in its logic and power.

Hon. Mr. Taylor: For once you're right.

Mr. Lewis: When the minister gets carried away, boy, he gets carried away. He breaks the law. The *Globe and Mail* has indicated he is breaking the law.

Hon. Mr. Taylor: That's nonsense.

Mr. Lewis: Oh, it isn't nonsense. My God man, it's in an editorial in the *Globe and Mail*. Therefore, it's true!

Hon. Mr. Taylor: Do you believe everything you read?

Mr. Lewis: The Liberals are pathological about Claire Hoy. The minister is berserk about the *Globe and Mail*. I love the *Star*. It couldn't be better. When a person like the minister is let out alone, on the loose, as it were, without parental supervision, as the Minister of Correctional Services (Mr. J. R. Smith) would wish it, and begins to embrace, in other words, forgiving the rhetorical spasms, the fetish of restraint as to dependency of the Conservative Party, it is carried too far.

Now it has been carried into what one columnist, I guess it was Norm Webster, called "welfare bashing." The minister and the Minister of Correctional Services collaborated to say things about social allowance recipients which were really profoundly unfair and destructive.

Hon. Mr. Taylor: If they were unfair I wouldn't say them.

Mr. Martel: Vote-getting until they get in.

Mr. Lewis: Yes, and they were even stupid. The work-for-welfare proposition which played to every hardhat sentiment in Ontario—which we understand, and there is some gain to be had from that I know—is an attempt in combination with some other Tories to recapture public support for the Conservative Party. I suppose it's fair game, and God knows we've said it too, that if adult males receiving welfare can work and there's a job available, clearly they should. There's no question about that.

Nobody over here likes welfare abuse any more than the minister does. As a matter of fact, we feel so strongly about the way the programme was manhandled, and I'm about to point that out in a moment, that we'd really like to do something about cleaning up the way in which the whole categorical aid and general welfare assistance programme works. We have a particular philosophic commitment to this area. We don't like the way it is being handled by the minister and his associates.

Mr. Warner: Who is the government?

Mr. Lewis: What the minister has done, of course, is to malign a whole group of people and he didn't really know what he was talking about.



This fascinated some of us a good deal. We turned to those colleagues of ours in research and asked them to dig up some information on general welfare recipients because it's time we stopped talking generalities and started to talk particulars. There are a number of interesting things which, I must admit to the minister, I simply wasn't aware of. I want to put some of it on the record today.

The first, of course, is that it is possible to work out and tabulate the average monthly caseload in any given year from 1970 on. For 1974 and 1975, the tabulation can be done month by month, although the 1975 figures are available only up to June. There is, in fact, a figure division in the average caseload between employable and unemployable. That is very helpful. And in 1975, for what it's worth, amongst single males there were 8,700 employables and 7,500 unemployables for a total—I'm rounding off—of about 16,200. That, incidentally, was higher than the previous two years, although just about the same as 1971 and 1972.

[4:45]

The minister will recall a number of people were transferred from permanently unemployable to physically disabled under the GAINS programme—

**Hon. Mr. Taylor:** I gave you all those figures.

**Mr. Lewis:** —but, by and large, we're still below what we were in 1971 and 1972. For single females, the employable figure in 1975 is 4,000, and the unemployable is 9,350 for a total roughly of 13,300. This is slightly higher than last year on a monthly average, but not disproportionately so. For a male family head the employable were 7,700, roughly, and the unemployable were 4,600, as an average month's caseload for 1975, for a total of 12,300. This incidentally is lower than 1970, 1971, and 1972 by a long shot, and not up all that much.

For the female family head, employable—these are interesting figures—1,120; unemployable, 14,014, for a total caseload of 15,134. This is a significant jump over previous years and shows the pressures against which single-parent families, woman-led, are now working.

The big question then becomes, having divided it into employables and unemployables, courtesy of your statistical method, how do we get information on the people involved? In our research group, Beatrice Schriever—I mention her name to you because I am going to ask her to be the person who looks at the files which you offered to show us in the Legislature—

**Hon. Mr. Taylor:** I offered to show them to you, with the cognizance of the recipient, but no one else.

Interjections.

**Mr. Lewis:** Oh, I see. Oh, a caveat; I wondered about that.

**Hon. Mr. Taylor:** I can stand up to you.

**Mr. Lewis:** Can Beatrice come along?—just so that she can gain experience in this?

**Hon. Mr. Taylor:** Only with the consent of—

**Mr. Lewis:** We'll get back to that in a moment. The minister talks so much gobbledy gook and hokum in this House it's almost indigestible.

But one of the things that we learned was as follows—I want to quote to the minister from the memo that was prepared for me because I think they described the frustrations perfectly.

Under "Profile of Recipients" he writes:

Information, either analytical or descriptive, about GWA recipients is hard to come by. Considering the many years during which the provincial government has ultimately been responsible for welfare, the bureaucratization of the system at the local level from the applicant's point of view, and the millions of dollars spent in social assistance, there is a remarkable paucity of survey material for us to analyse, and for the government to use for policy-planning purposes. I suspect this is an outgrowth of the attitude which says, "We begrudgingly will support these people, but there is nothing much which can be done to improve the situation—i.e., improve the people—so why bother collecting information?"

I wouldn't be surprised if the government were more scrupulous in maintaining records about expenditures on road construction.

I must say that I think he has probably hit it right on the head. When we looked for some information on the profile of these people, there is very little around. However, by a piece of extraordinary luck we fastened on something important, and that is the annual survey that the minister does in March of each year—my colleague from Sudbury East would know about it, my colleague from Bellwoods (Mr. McClellan), who has been in this field, would know about it. I didn't realize it existed, nor that the figures for 1973 were all available. And someone

in the ministry, bless him or her, gave us the figures for 1975 as well, in their tentative—well, I guess they are in their final state now.

The profile of the general welfare recipient which emerges in your March data shows that the unemployable category is almost exclusively confined to two groups: Dependent mothers with children—those who are just divorced, just separated, just deserted, are on the way to family benefits, or in the process of reconciliation, but in a very vulnerable position and therefore clearly not appropriate for the work force—and ill health. In case you are interested in the statistical breakdown on ill health, so that one sees it isn't just some kind of frippery, let me tell you about it.

Out of the 17,000 surveyed, 4,000 had mental illness, 2,800 heart and blood disease, 1,900 defined specific illnesses, 1,600 digestive system diseases, 1,600 respiratory diseases, 1,482 diseases of bones and joints, 1,478 arthritis, 1,292 accidents resulting in disability. So clearly the unemployable so defined are in fact unemployable. And what does that leave us with? That leaves us with about 35 to 38 per cent of the general welfare recipients, both on the 1973 figures and on the 1975 figures, who are employable.

When you look at the 35 to 38 per cent who are employable, men and women, you find that about one-fifth of them cannot be immediately employed for reasons of temporary illness or emotional disturbance, alcoholism, things of that kind. But that 83.2 per cent are classified by the workers reporting to your ministry under the descriptive rubric, "inability to find employment." That's the characterization. "Inability to find employment."

Now, does the minister know what "inability to find employment" means in the simplest words? There just aren't any jobs. That's what it means. Let me go further. It may mean that somebody of low skills can't correspond to a high-skilled job. It may mean that they're in the wrong geographic location. It may mean that they have inadequate educational status. It may mean any one of 101 things, but it is a genuine characterization. The jobs aren't there or the suitability for the jobs isn't there.

Despite the discursive way in which these applications are tabulated, or these surveys are tabulated, this is filled out by people in the field making appraisals of the recipient and not by the recipients themselves. Do

the members want to know something else that's positively astonishing? In the entire range of service material, there is not a single case which was brought to our attention where someone was said to be receiving welfare for reasons of sloth or abuse, or simple ne'er-do-wellism. No one. There is no category in the whole survey which applies to such a group of people.

Because the minister challenged us to speak to municipal welfare officers across the province, we called Toronto, we called Ottawa, we called London, we called Frontenac-Addington, we called St. Catharines, and we called—there was one other as I recall—Hamilton. We called six municipalities, and it might interest the minister to know that those municipalities laughed at the proposition which he is bringing before the Legislature and that he is stating publicly. Why? The proposition is that there are a number of abusers out there who, if made to work will have to work. Why do they laugh? Because of all the comments from the material we compiled indicate those people are already being refused welfare if they refuse a job. And the minister is pulling a gigantic red herring across the scene. The fact of the matter is the minister has 83 per cent of the recipients who are employable, who simply cannot find jobs for whatever reason imaginable.

Now, can I take a look at that for a moment; because, if in fact—

**Hon. Mr. Taylor:** All you are saying is there isn't any abuse in the system.

**Mr. Lewis:** I am not saying there is no abuse. I'm saying that the abusers are already weeded out without the minister's gratuitous intervention. Does the minister know why he wants to intervene? Because he wants to fasten on a negligible group of people already being kicked out of the system by the welfare administrators around the province, who could save Ontario very little money—

**Hon. Mr. Taylor:** Then there is no need to tighten up the system.

**Mr. Lewis:** —because he doesn't want to deal with the real job of finding work for the people who want to work. And that's what this issue is about my friend. This issue isn't welfare, this issue is jobs. That's what it is.

Now, if one takes a look—and I'll send it over to the minister because it is really a fascinating graph—and I have it visually and I'll pass it to my colleague. If you take a look at the unemployables in Ontario, Mr.



Speaker, you will see that they remain static on a graph. If you take a look at the employables, you'll see that the graph relationship corresponds remarkably to the rises in the unemployment rates. That's what we are talking about. Does the minister know what he, the great saver, is costing Ontario? If, in fact, he was to do anything about the people who want to work and can't, this is what he'd save. For single males per month, he'd save \$1,235,000 based on present welfare payments; for single females, \$568,000; for family-head males, \$2,412,000; and for female family heads, \$351,000. He would save \$4.5 million a month, if he could take all those people off welfare and provide work for them that most of them would do.

Clearly, there's no panacea. Nobody can do that spontaneously or easily. It takes some time, but that's where the energy should be directed and that's exactly where the minister won't direct it. So, in Ontario we pay \$54 million a year for unemployed employables because we cannot create jobs for them or match their skills to jobs in the existing market.

Do you know, Mr. Speaker, that in January, 1976, there were 273,000 people unemployed in Ontario? Do you know that there were job vacancies of 19,800 recorded in the third quarter of 1975? Does the minister see the problem which his government has created? The issue isn't welfare; the issue is work; the issue is jobs; the issue is job-creative programmes. The Minister of Health (Mr. F. S. Miller) throws them out of work and this minister abuses them. Hydro cuts back—I'm pleased in many ways that it's happened—but of the 2,000 to 3,000 people who will lose jobs there are no alternatives to go to. It's a matter of job creation.

Barry Swadron, Conservative federal candidate, could tell you, based on his remarkable report, I guess, of 1971 or 1972, which my colleague, the member for Sudbury East, used in the Legislature often, the problem is the simple creation of jobs; it's not the question of the welfare recipient. Can I quote what he said in his report, just to remind the minister, since he's a leading federal Conservative?

There is good evidence that the greater numbers of employable welfare recipients are on public assistance because they cannot get a job, not because they do not want a job. We wish to make it clear that in our opinion deliberate avoidance of work by welfare recipients is not a major problem. Lack of jobs, involuntary unemployment, is the problem.

**Mr. Warner:** He doesn't understand it.

**Mr. Martel:** He thinks because they are out of work that they don't want to work.

**Mr. Lewis:** What is the government doing? Does it have a housing policy to create jobs? No. Does it have an environmental programme in order to create jobs? No. The government is cutting back on services to people which create jobs, yet what is the use of that? Do you know what you have, Mr. Speaker?

**Hon. Mr. Taylor:** The strongest economy in Canada, that's what we have.

Interjections.

**Mr. Lewis:** I am beginning to enjoy this and since I'm finishing tomorrow I have a good deal more to enjoy. You have in Ontario work activity projects. These are projects designed to deal with not just the hard-core unemployed but people who want to work and have some kind of disability by way of skill or occupation or education or whatever.

Let me tell the minister about the government's activity projects in Ontario. We've been following all this through. It really makes for fascinating and incredibly indicting stuff. It's 50 per cent funded under the Canada Assistance Plan. The government usually grabs everything that has a federal cost-sharing component.

Work activity is designed to provide work acculturation to hard-core unemployed. The director in your ministry expects us to have 17 projects this coming year. [I'm not sure it's your ministry.]

Last year 561 persons were served. A follow-up of graduates at three months after leaving revealed a surprising rate of rehabilitation; 34.5 per cent were gainfully employed; 11.8 per cent were in training and 11.8 per cent were living independently. In other words, over 50 per cent re-entered the work force and the province spent a grand total of \$578,000.

There's a commentary in Ontario. In Manitoba, the province spends \$1.5 million whose equivalent here would be \$12 million and they brought people back to work in large numbers. Now, the beauty of it is that we even have in Ontario—

[5:00]

**Hon. Mr. Taylor:** What community are you talking about? There is only one work activity programme. There are all kinds of municipalities.

**Mr. Lewis:** Oh, the minister has the chutzpah to talk about the municipalities. Okay, let me go to the municipalities. How nice of him to lead to my next point with such a kind of cultured fluency.

**Hon. Mr. Taylor:** I like to help if I can.

**Mr. Lewis:** The municipalities are engaged in these programmes. The Metropolitan Toronto municipality had 113 work activity participants surveyed in the first six months of 1975. You know what the basis for the survey was, Mr. Speaker? Let me read the quote:

In conformity with economic benefit guidelines established for the Management Board of Cabinet, government of Ontario, the total benefit to the community in dollars was \$271,914. The total expenditure on the programme was \$69,600. The cost benefits for six months was \$202,000. The net savings, per person, was \$1,789 a person.

And that study is just out—\$1,789 a person saved from the public purse because of a work activity project, measured not by the province but by the municipality of Metropolitan Toronto—

**Hon. Mr. Taylor:** Which we support.

**Mr. Lewis:** —but the government won't give more than \$563,000 in any given year. It prefers to spend \$4.5 million a month to keep people on welfare.

**Hon. Mr. Taylor:** That is not so.

**Mr. Lewis:** Well, of course it is so.

**Hon. Mr. Taylor:** That is not so and you know it.

**Mr. Deans:** You like to have people on welfare.

**Mr. Lewis:** I am giving you the exact fact. You like to have social welfare recipients. You haven't the faintest idea how to get them back to work.

**Mr. Deans:** You developed the programmes that locked them in.

**Mr. Martel:** You get headlines.

**Mr. Lewis:** Yes, you do get headlines for it.

**Mr. Martel:** You get headlines and that is the whole thing.

**Mr. Lewis:** I will admit that.

**Mr. Martel:** You gain headlines.

**Hon. Mr. Taylor:** You do because of your distortions.

**Mr. Martel:** You destroy people but anything for power.

**Mr. Lewis:** I won't go into it any further except—

**Mr. Cassidy:** You are really unbelievable, aren't you?

**Mr. Lewis:** —except to say to you, as the minister, through the Chair, and maybe I had better turn my attention to the Chair since I will probably proceed a little more quickly that way, is simply this. The New Democratic Party as a party, Mr. Speaker, has no more use for, and would countenance even less sympathetically, illegitimate and unnecessary abuse of social allowances. We are committed to the social allowance programmes but we know that by virtue of the administration of welfare in municipalities across the province that those abuses are necessarily low now. What must be turned to is a job-creating programme which gets the other 80 per cent of the employables off the rolls, into the work force, earning money, paying taxes, providing a cost benefit for Ontario and stop the endless flow of welfare funds unnecessarily to which the minister, and him alone, is addicted. That's all I'm saying.

Now, Mr. Speaker, I want to pull together therefore the fundamental points that the entire restraint package is by no means a response—and if anybody wants to take a stretch or smoke or anything else, please go ahead, because I'll be here for a while. After all, we have been away for almost three months; I've got a lot of catching up to do, Mr. Speaker.

The entire restraint package is not a response to inflation. It's time we set that mythology to rest. The entire restraint programme is a response to debt—that is what it is—to the accumulated debt of this government and it is therefore frantic, reckless and self-serving. If you take a look at the economic indices from 1965 to 1975 you will find that from 1965 to 1970 the normal indicators increased only marginally, though extraordinary leaps in debt and in budget and in expenditures occurred in, if I may say it, the William Davis years and the comparison with Smith of the old tax committee is something to see. The government's response is cutbacks in areas which are damaging to people, uncreative and often illusory. Its response is inflation and unemployment.



**Hon. Mr. Taylor:** You keep pushing us to spend more money.

**Mr. Foulds:** Go back to your cage, Mr. Taylor.

**Hon. Mr. Taylor:** What do you want to do, increase the debt?

**Mr. Lewis:** Worse still, even though we've showed the government where we can save money in health, even though we've showed it where it can create jobs and save money in welfare services, still, it has, or the Treasurer has, the incorrigible brass to raise taxes—the property tax, primarily, perhaps others as well—by up to 20 per cent, in what can only be described as a desperate clutch for political survival.

As I said at the outset, I've now seen some figures which make me understand that political survival is not around the corner for the Tory party. They are in more trouble than I ever thought they were.

**Hon. Mr. Taylor:** You don't believe that.

**Mr. Lewis:** Believe me, I believe it. I am one of the greatest pessimists politically that the minister has ever come across.

**Hon. Mr. Taylor:** You don't believe what you are saying.

**Mr. Lewis:** The question is, will the government pull off this amalgam of property tax increases on the one hand and absurd and self-defeating expenditures on the other and a lot of unhappy human consequences as well? I doubt it. There is still profound mistrust and skepticism in the Conservative Party across Ontario. Its theme may be attractive but the government is not. It's as simple as that.

These are really matters which are more appropriate to the budget debate and I'm leaving them to my colleague to enter into in the budget debate. But we feel, over the next few weeks, that we can continue to document alternate areas of restraint, previous mismanagement, sensible cost benefit savings and a much improved tax mix.

One of the other things we've had a chance to do over the last few months is an assessment and an analysis of every single tax in Ontario, tax by tax. When the budget comes we think we are going to be able to show the government, as a responsible opposition, the kinds of tax mix in Ontario which doesn't have to touch income tax or sales tax or OHIP premiums or any of the other things the government has been raising in the past, but can deal in both sectors which will restore

equity to the tax system—like resource taxation, corporate tax, the plugging of certain loopholes in exemptions we've provided, capital gains—a scrupulous appraisal, tax by tax.

In other words I must say, Mr. Speaker, speaking personally just between the two of us, that what I'm becoming increasingly comfortable about—and that's why I'm glad the session is back in session—is our capacity to make a useful critique of the government's policy, to point out its weaknesses, to continue to provide the alternatives and to do so in a way which embraces a pretty efficient style of governing or managing Ontario's economy and also a creative use of alternate tax revenue. So that the legitimate increases for social service expenditures or public transit or police, when you are dealing with the vexing problem of municipalities, as I said will probably be highlighted in the budget.

When you're dealing with those things, they need no longer hang us up. Ontario has within it, if it deals with it honourably, a capacity to budget itself in a way which makes sense and to appeal to alternative sources in a way which makes sense. The more work we do and the more material we put together, the more confident I am that we're going to be able to go to the people of this province whenever that happens—this year or next or the year after—with a programme and an alternative which is really quite substantial and need not in any way be defensive.

The restraint programme, we feel, is wrong in its choice of priorities and crude in its implementation. There is enough in all I've outlined—and I admit I've taken time—we think, to defeat a government. But there is in fact, much, much more, because there is another whole field which I shall deal with very briefly since I understand and can see that I've gone on at length and time is running out.

Those people over there have failed to respond to the issues which were raised in the campaign of 1975. I want to remind them that not only will we take them on on their grounds, but we're going to take them on on our grounds as well. I want them to know that. We are going to re-establish our grounds in no uncertain terms and I want to give you a flavour of what is meant—my colleagues, in their own gentle way, saying, "the sooner the better."

**Hon. Mr. Taylor:** You lose on your own ground.

**Mr. Lewis:** The first area—I am just trying to introduce a note of caution among the enthusiasts, Mr. Speaker.

The first area, and I want to come back because there are only two I am going to discuss as exemplifications of this government's total delinquency in the last few months since September and it appears not to have learned any lesson. The first area is agriculture.

I have never seen a man more vexed or paranoid or distressed or concerned than the Premier about that 26 acres an hour figure. If I had known that it would give him so much discomfort, I would never have used it. I would never have used it. I would have said 25, 27, almost anything else, but certainly not the figure which has him—

**Hon. W. Newman:** Anything else but the right figures, right?

**Mr. Lewis:** Oh, the Minister of Agriculture and Food is here; well I am definitely going on into the evening then.

**Mr. Samis:** You arouse us over here, Bill.

**Mr. Lewis:** The Premier and the minister have extreme irritation about the impact of that figure. They wanted to dispute it directly but they didn't know how to go about it; they didn't know how to dispute it. So they came at it in two different ways.

First they said: "What we are really talking about is productivity on existing improved land. What you don't understand, you New Democrats, is that productivity is increasing so fast that it's really nothing to worry about." That is the first avenue of attack; the Premier used that on the great debate we had together.

The second avenue of the attack was: "Why, you scoundrels you. The 26 acres an hour may be going out of production but it is not going out as concrete. It just lies there fallow and yearning to be ploughed and one day we will restore it."

**Mr. Wildman:** If you can get around to some of this land.

**Mr. Lewis:** "We will restore it so don't pretend it is really a loss."

**Hon. W. Newman:** You have been up to Guelph for a week. You have been up there a week talking to our people, now you must know—

**Mr. Lewis:** My people; I haven't talked to your people!

**Hon. W. Newman:** Your research people have been up there. You must know the true facts so why don't you look at them squarely?

**Mr. Lewis:** What do you mean our research people have been up there? Can you be a little more specific in your allegations?

**Hon. W. Newman:** Come on, you know the true facts, so don't take advantage of me.

**Mr. Lewis:** I'll get to where our research people have been in just a moment if you will just hold—

**Mr. Wildman:** Hold your horses.

**Mr. Lewis:** —hold your horses for a second.

What the government requires, however, is policy not argument. Every time it turns around the position of the Tories is dealt another blow because it really doesn't have logic or persuasion or arguments on its side.

The most recent blow, as my colleague from York South never tires of pointing out, was handed the government by the Ontario agrologists who have put out "Food, Land: Preservation or Starvation?"—and it actually emerged after the election campaign. That's pretty high-powered stuff. The group of agrologists includes Ontario Ministry of Agriculture and Food people; they have tremendous representation.

**Hon. W. Newman:** I am a member too.

**Mr. Lewis:** The minister is a member too? That kind of tears it, Mr. Speaker, under the circumstances I cannot be sure of the figures I am about to read. Nonetheless, I want to quote to you from pages 13 and 14 of the agrologists' booklet dealing with Ontario land and food needs:

The area of improved farm land in the province has declined by 2.5 million acres in the past 30 years. Even more striking is the fact that almost half of this decline, 1.2 million acres, took place in the last five years of the period 1966 to 1971.

This means that an average of some 200,000 acres of improved farmland per year went out of food production during that period and the trend continues.

Earlier it was estimated for our Canadian standards that [listen to this, Mr. Minister] even with an increase in productivity of 70 per cent over the next 25 years, we would require an average of one acre per person to feed our population. This would mean a requirement of 12



million acres for food production to feed the Ontario population by 2000 A.D. There were only 10.9 million acres of improved land in 1971 and in the ensuing four years this has probably been reduced to a little more than 10 million acres at the present time.

They accept our interpretation of the improved farm land going out of production.  
[5:15]

**Hon. W. Newman:** Let's make sure the facts are right.

**Mr Wildman:** The rest is going up in poplar bush.

**Mr. Lewis:** Our facts are always right. It merely depends who witnesses them. At this point in time I would like to interpret them. They correspond exactly to what the agrolists have been saying in their studies. Their point is a powerful one.

It is essential to restore two million acres of crop land which has been going out of production and it must be done by the year 2000. The ministry people, and the governments, are scurrying around frantically trying to repute the 26 acres. The minister has a UDI report which says 13 acres. The ministry is looking at it now and has some field workers looking at possible land appraisals. There have been a couple of aerial surveys of interest to the minister.

**Hon. W. Newman:** Have there?

**Mr. Lewis:** Yes, there have. I have never seen so much frantic scrambling to fix on an acreage figure which doesn't suit the opposition.

Let me give three examples we recently happened upon which speak to the case we have been making. They were interesting to me and I think they probably will be of interest to the minister because it is his ministry and I know he is concerned. I have had an opportunity, probably for the first time in my political life, to start spending time at the Ontario Agricultural College, and particularly at the soil science centre.

**Hon. W. Newman:** Great, maybe you will learn something.

**Mr. Lewis:** As matter of fact, maybe I will learn something. I am about to reveal some of the things I have learned.

**Mr. Bain:** The Leader of the Opposition is willing to learn, the minister is not.

**Mr. Lewis:** As a matter of fact, I spent a couple of hours touring and a number of

hours in discussion. Our own research group made return visits and pulled material together.

It's interesting to me that a similar kind of intense study visit has not been carried out by cabinet ministers before. I would heartily recommend it; the soil research group are an incredible fund of information. They do all of the best stuff in the province. They have Agriculture Canada there as well.

When we were there we wandered up to the third floor where Agriculture Canada was doing its latest survey; lo and behold, we stumbled on a new soil analysis for the Townsend site at Haldimand-Norfolk. I was really fascinated. The ministry has had the soil analysis for some little time. What the analysis showed, and this is instructive, was that the Canada Land Inventory, at full valuation in Ontario, was simply not worth very much. In the notes on agriculture produced in centennial year—and which were reproduced in November of 1975—Ed McIntosh points out in an article called "The Role of Physical Resources in Rural Land Use Planning," and I quote:

It is not impossible, for example, to make decisions concerning 100 to 200-acre parcels of land from the Canadian land inventory maps. These maps have been generally published to the scale of one to 250,000 and do not show individual parcels of land less than about 600 acres in size.

I must admit I hadn't realized how out of kilter the Canada Land Inventory maps were, because the land inventory maps for Haldimand-Norfolk done in 1928 showed there was only seven per cent class 1 agricultural land in the Townsend site. The new soil testing, 1974-1975, showed 37 per cent of the land for the Townsend site is class 1 agricultural land.

I want to tell you that the people at the Ontario Agricultural College are heart broken about what is happening in Haldimand-Norfolk, because it now looks as though we will lose 50,000 acres directly to the economic expansion and industrial corridor which we have unleashed. The vast proportion of it is absolutely first rate class 1 and class 2 agricultural land; and the class 1 land is on a basis and in proportions and percentages we never realized.

**Mr. Laughren:** Can you justify that?

**Mr. Lewis:** They have produced a map suggesting certain counties or regions of southern Ontario are urgently in need of re-surveying. They have Kent, Elgin, Norfolk, Haldimand, Welland, Metropolitan Toronto

area and Durham so designated. They don't have the money. They've got two pedologists on staff. They'll have it all done, at present rate, by 1987.

They also told us while we were there that there had been a study by the Soil Institute in Ottawa of 8,000 acres of Gloucester and Nepean townships, which acreage encompassed both part of Carlsbad Springs and part of the private development. When they did the recent soil testing they found that the Carlsbad Springs project, government-owned, is all low-class land, likely unfit for agricultural use. They found that the private land is 35 per cent class 1, class 2 agricultural land, and that's the land the government has designated for urban and suburban expansion. Again they were just confounded by the absurdity of the government's position.

They've done something else at the Soil Sciences Centre in Guelph, a more fascinating place I've not spent time at. They took a Ministry of Transportation and Communications map—really a TEIGA map—for 1964, for the Golden Horseshoe area. They superimposed upon it a 1974 TEIGA growth map, and they overlaid on that the Canada Land Inventory soil map.

They found—let me give you the exact figures, I think I can remember them—they found that in the period of 10 years they had lost 94,500 acres of land in the Golden Horseshoe alone—that's between 1964 and 1974—94 per cent of which was class 1 to class 3 land.

Can you believe it?

And then, because those maps don't deal with strip development, they realized they should probably double the figure, because in fact it doesn't even include areas like Malton in the survey.

So in fact, based on the new soil testing in Haldimand-Norfolk, the new soil testing in Ottawa and the transposition of the Canada land inventory maps, which are not refined sufficiently and don't show as much as they should, on the whole Golden Horseshoe area, we are losing agricultural land in this province at a breathtaking rate. What it also shows is that it's not just good, improved crop land going out of production, it shows that some of it is in fact going under concrete, to be irreparably lost.

They've done some other things which I will save for another time on Markham, Pickering and Oakville; a comparison of land values, speculative control, some of the implications for other counties, which show similarly jarring trends. When we take to-

gether all that the Canada Land Inventory, Agriculture Canada and the pedologists have done, and look at the various research papers, then one has to come back to what the agrol-ogists say right at the beginning of their study. I read it and I agree with it:

That the government of Ontario, within the next year, pass legislation designating class 1, 2, 3 and special crop land as food land or land for agricultural production, and reserving such land for present or future production of food. The institute recognizes some occasions may arise where use of some food lands for other purposes can be justified; however, it recommends that other potential users be required to prove their need cannot be met by use of other land; and further, that where at all feasible, they be required to use the poorer classes of food land.

I repeat it because it is a position to which this party gives complete adherence; and if the day ever came when we could do anything about it this is the position that would be taken: That the government of Ontario, within the next year, pass legislation designating class 1, 2, 3 and special crop land as food land, and reserving it for present or future production of food.

**Hon. W. Newman:** You are saying you would freeze all?

**Mr. Lewis:** You used the word, perish the thought.

**Hon. W. Newman:** You said you would freeze it.

**Mr. Lewis:** Because this agricultural land business, this has a very important impact on Ontario and on the farmers.

**Hon. W. Newman:** You bet it does; and you're playing around with the figures too.

**Mr. Lewis:** Never mind; I bet it does too. If the minister does that, in conjunction with a farm income stabilization plan; and let us say with an agricultural land bank in Ontario which allows farmers to sell at the point at which they want to retire—they want to make a reasonable income, their retirement income—and then lease it back in much the fashion that ARDA has been doing for years; in other words principles that are perfectly consonant with Ontario growth but which preserve agricultural land.

We say to the minister, through the Speaker, he had his chance in the election of September, 1975, to come to grips with agricultural land. He flubbed it then, he has flubbed



it now, and we will confront him in the next round on the same issue until he does something about it.

**Hon. W. Newman:** I will look forward to that.

**Mr. Moffatt:** Was it 115 votes last time?

**Mr. Lewis:** That leads me in a natural way to the Minister of Health (Mr. F. S. Miller).

**Mr. Martel:** Back to Frank.

**Mr. Lewis:** There is a certain logic in all of that which the minister sees even if others are unable to discern it, right?

**Mr. Eakins:** You are a favourite, Frank.

**Mr. Lewis:** One of the other matters which was raised during the election campaign in 1975 and never had sufficient attention paid to it was the whole question of occupational and industrial health and the working environment. I thought we might have made some impact; I see we haven't.

The minister talks about political motivation when he deals with some of his responses to the media; I want to talk about some of the realities. I was really surprised and disconcerted when I realized that United Asbestos at Matachewan simply seemed to be a repeat of all the follies of the past and, therefore, to the minister through the Speaker, I simply don't understand it.

Rajhans is the best man the minister has on staff—the man who made the tests—and his report was virtually ignored. The question has to be asked: Why? Rajhans' report was not posted. The question has to be asked: Why? There was no recheck of the readings, despite the fact that five months lapsed and Rajhans asked for it. The question has to be asked: Why?

There is still no clear authority line among Health and the other ministries. The question has to be asked: Why? There was no serious cleanup in that Matachewan plant until March 4—or the weekend before March 4—when, in order to proceed with new tests on the Thursday, the cleanup took place between midnight Friday and midnight Monday.

I don't understand how these various ministries are behaving. More accurately, I don't understand why the Ministry of Health is prepared to put up with or to tolerate the Ministry of Natural Resources in its perverse and often criminal behaviour about the health and safety of workers.

I want to tell the minister, through the Speaker, that United Asbestos Co. doesn't have a good reputation as a company. When

he released that file to the media, not only was there a lot of fascinating material in it about the state of the plant of United Asbestos at Matachewan, there was also, let it be said, fascinating material from the Ministry of the Environment showing that somehow the asbestos fibres in the air had carried six miles in the wind to descend on the temporary work camp of the employees.

I am sending to the minister, across the floor of the House, three pictures taken at approximately the time that Rajhans visited United Asbestos; they were given to my colleague from Sudbury East. The minister is not going to believe these pictures but they show the asbestos fibres pouring out of the conveyor belt, supposedly wetted for the tailings down below. They are just pouring out like some kind of gale, travelling downstream to where the temporary work camp was located. I would like him to see these pictures for himself because he will find it hard to believe them.

[5:30]

Just one second. I also want to send across to him pictures from the Northern Daily News of March 3, 1976—showing the conditions inside the plant after the issue broke—which the workers themselves took when they visited that plant. I just can't believe it. It is impossible to believe that such working conditions would exist; that you have asbestos physically piled up around the pilings in the plant, covering the bottoms of ladders, littered everywhere on the floor—and I gather the reproduction of these photos is hardly good enough to show what was really true of the originals.

So in the one instance you had it pouring out into the air, in the other instance you have it inside the plant; and we are told somehow that it is not dangerous. I'll come to that in a moment. Let me send the pictures over to the minister to take a good look at. He's over there in the corner.

**Mr. Martel:** That's where he belongs.

**Mr. Foulds:** Reeling from the blows.

**Mr. Lewis:** No, the minister doesn't reel from blows. He invites them and loves them. He adores blows, in whatever form.

**Mr. Martel:** Even snowballs.

**Mr. Lewis:** I suggest he see the film "Swept Away"; it will give him a full sense of the extremities of masochism, political or otherwise.

The reality, Mr. Speaker, is that the hazards of asbestos are better and better known, and

I don't understand how all of this is happening.

Last Friday morning I appeared on a panel with Dr. Fitch of the occupational health branch, Ministry of Health. I guess he is the assistant to the director now, is he?

I want to tell you, I was really quite disconcerted by that experience. Dr. Fitch said two things which really threw me a little. The first was that when they did X-rays and tests of workers they liked to give the information to the physicians because the workers might be disturbed by it or might not know how to handle it. It's that old medical elitism, and a lot of workers really find it offensive that the minister and the ministry and others should make assumptions about their health and be so blessed patronizing that the results can't be shared.

Dr. Fitch said something else that threw me; and that was that they don't post all the test results, particularly if some of them don't look too good or they are not sure of their quality. They like to retest and take them again. That is to say that things are posted selectively, in a way which becomes almost self serving even in the best hands.

Dr. Fitch is a very able man, he's obviously a master of his field; but the attitudes concern me. They particularly concern me when I hear that Dr. Ralph Robertson, who was at the Ontario Federation of Labour Conference on occupational health over this weekend and gave most of his lecture on—do you know what he gave most of his lecture on?—you won't believe which epidemiological study and disease he chose to analyse for the trade unionists who were there—scurvy. This minister is the best advised minister on scurvy in Canada. Dr. Ralph Robertson, who is head of his advisory occupational health institute, gave a lecture on scurvy to people who came trying to learn about environmental health.

I want to tell the minister, through the Speaker, I want to tell him, through the Chair—admittedly he said it was a long time ago, that it was a problem some time ago, he hadn't quite brought himself up to date—I want to tell the minister that his ministry has a big job on its hands, because he's got to deal with Natural Resources, and Natural Resources deals with no man.

That's the problem. So let me tell the minister, as briefly as I can, the saga of the Reeves Mine, because it speaks directly to United Asbestos.

United Asbestos opened in the fall. The Reeves Mine closed down in the spring. You

would think, by God, you would think there would be some control on United Asbestos after knowing what happened in the Reeves Mine.

Reeves ran for eight years. You remember that, Mr. Speaker. It opened in June of 1968 and was in full production by December, 1968. Monthly dust and fibre readings were carried out by a company ventilation engineer from January, 1969, to January, 1973. There is no explanation why they stopped at that time, although I am sure you recall that the plant itself closed down from about December, 1973, to October, 1974, for some major alteration of machinery and equipment and then kept going until April of 1975.

We couldn't get the readings. That aggravates me. I want you to know, Mr. Speaker, it aggravates me. We asked for them in the House; no one had them. I remember my colleague from Nickel Belt asking about a particular reading which he judged to be very high. The minister said yes, he thought the readings he had seen were in that range but he didn't have access to the material. I can remember trying to get my hands on the material and not being able to.

Then there came to us, during the course of the election campaign, the survey that was done in November, 1974, of the Reeves mine which showed the highest reading ever recorded in an asbestos mine in North America. Thank the Lord it was closed down in April, 1975.

Then when it's all over and it's closed down, Mr. Leo Bernier suddenly said: "Oh yes, we have the readings."

I didn't know we had the readings until I phoned Denver, Colorado, and spoke to the vice-president in charge of health and safety for Johns-Manville. I said I want those readings.

As a matter of fact I was pretty offensive about it. I was presumptuous in a way which doesn't appeal to me. I said to him there was a minority government in Ontario now. We'd had a shakeup in the relationship of the parties and I thought it would be very useful for Johns-Manville and everybody else if they started dealing squarely with the members of the Legislature and stopped dealing in duplicity and secretiveness behind the scenes.

He said: "Don't ask me. Those readings were taken every single month since 1968 and they're with the Ministry of Natural Resources." I said: "You've got to be kidding." He said: "No, they're with the Ministry of Natural Resources."



So Leo Bernier was asked about it in the House; and suddenly, just like the 18 years of readings at Elliot Lake, they are exhumed from the bowels of the Ministry of Natural Resources; and Linda Jolley again goes through this episodic study of hers, of dust results and fibre counts, which she seems to encounter from time to time.

I can't, in the period available, summarize everything, but I can do it best by going back to our good friend Rajhans.

On April 21, 1969, he toured that Reeves mine and he wrote a tough report what had to be done. He didn't go back until August 15, 1972. Let me tell you what Rajhans' report said on that date. This is from the Bernier file:

In general, the dust conditions are much worse than found on the previous occasion. [This was three years later.]

The housekeeping throughout the mill and crusher buildings was considered to be extremely poor, especially the fourth floor of the mill building where the dust on the floor was ankle deep.

None of the vacuum cleaner arrangements were working and this, perhaps, was the main cause of the poor housekeeping. I was amazed to see the amount of dry sweeping still being carried out in the mill building. In my last report, dated April 21, 1969, a comment had been made on the poor practice of dry sweeping. It appears that the company had paid no attention to my recommendation.

It was pointed out to me that the employees engaged in dry sweeping wore respirators and hence dry sweeping should not affect them. It should, however, be realized that no respirators, including the approved types, are 100 per cent efficient. In fact, most of them are only 50 to 60 per cent efficient for fibrous dust. The dust concentration could get extremely high and any respirator would be ineffective in highly concentrated dust clouds.

A comparison of the threshold limit value at two fibres per cc with the sampling results showed that all the results are higher than the TLV, with one result as high as 11 times the threshold limit value.

He talked about the samples taken in the crusher building being high. He talked about the exhaust system being broken down. He talked about the amount of dust accumulated under the belt conveyors. He talked about the exhausted air still recirculated in the mill building. He said, almost pointedly: "It

has to be understood by them that asbestos is far more hazardous than silica because silica does not induce neoplasms"—cancer.

His conclusion was:

No improvement in the dust condition has been made since my last visit in 1969. In fact, the conditions have become worse. There appears to be no concern among the company's officials about the deteriorating condition. This was pretty obvious from the poor maintenance of the exhaust system. It is my feeling that if the conditions are allowed to continue it would not be too long before a case of asbestos disease would develop. All the recommendations of my previous report, dated April 21, 1969, still apply.

I read it bitterly, because the Minister of Natural Resources (Mr. Bernier), whether intentionally or unintentionally, has said time and again that things get better after start-up. You've heard him, Mr. Speaker; he said things get better after start-up, and that is a nonsensical statement if ever I heard one. People more unkind would call it an outright fabrication.

Things get worse in an asbestos mining and milling operation. In order to prove it to you on the basis of the Reeves Mines, let me point out to you, just taking readings in an average month, that in May of 1969, at start-up, the fibre counts in the Reeves mine were two fibres per cubic centimetre; in May of 1970 they had jumped to seven fibres per cubic centimetre; in May of 1971 to 8.3 fibres per cubic centimetre; in May of 1972 to 12.4 fibres per cubic centimetre; and November of 1974 to 14.7 fibres per cubic centimetre.

Those are averages, most of them in years when the threshold limit value was five fibres or two fibres. It was two fibres from August, 1972 on.

I want to ask a very simple question: What is the moral responsibility on the minister's government when the men who work at the Reeves mine were doing so under conditions everybody knew to be hazardous to human health, on the basis of figures in the ministry's possession? What happened? Where is the moral responsibility when those men contract asbestosis, lung cancer, or mesothelioma? And at the levels of exposure, 50 per cent of them are going to, in one form or another.

Every single study we have demonstrates it. I can't even begin to read to you some of the sampling.



I am going to send this to the minister, because Linda has set it out month by month, sample by sample. It's really worth noting that in 1970 readings in that plant were 27.5 fibres, 30 fibres, 44 fibres, 24, 40, 29, 41, 51, 46, 35, 43, 68, 60, 36, 27, 30. In 1972, they were 21, 46, 84, 34. In the first months of the new threshold limit value in June of 1972, 31 of the readings, or 91.1 per cent, were above the permissible level. Whose responsibility is it?

When I went to see Selikoff in New York, he said to me: "Ask them about criminal negligence. Sue them. Do something." How do you handle something like that? He said: "If you had a vat of sulphuric acid in a chemical plant marked 'dangerous' and you took off the danger sign and you replaced it with a sign which said 'wash here', and someone washed, would it be criminal negligence?"

Of course it would be criminal negligence. And when people work in those conditions, with the full knowledge of what is at stake and the full complicity of the Ministry of Natural Resources, whose responsibility is it for what is going to happen about six or seven or eight years from now?

**Mr. Ferrier:** What kind of people are you over there?

**Mr. Lewis:** I don't understand all of that. And I'll tell you what else all of this conveys to me, because I want to put it to the minister. It speaks strongly to the question of United Asbestos of Matachewan now. I wish I could document it.

There was a struggle. There was an undignified fight, from the early 1970s through to the closing of that plant in the spring of 1975, I say to the minister, through the Chair, there was an undignified fight between his occupational health branch and the Ministry of Natural Resources. They abuse each other in the correspondence, and the Ministry of Natural Resources refuses to pay attention to what the occupational health branch says.

When Rajhans informed the company that the threshold limit value was to come down to two fibres per cubic centimetre, nobody paid any attention. The company disputed it, and incredibly enough, the Ministry of Natural Resources disputed it. Though I hate to say so, Mr. Peter McCrodan, who is even now director of mines engineering, is the man whose record on this score is least enviable because he resisted it throughout, forever

reporting to Mr. Jewett, he of Rio Algom, now executive director, division of mines.

Interjection.

[5:45]

**Mr. Lewis:** The Health ministry couldn't get through to them; nobody would listen. I have the letter; I have the extract. Finally on Feb. 4, 1975, Dr. Tidey of your ministry wrote to Peter McCrodan in a kind of query—he was really put out—and he said,

Results of air sampling shall be compared with a threshold limit value of two fibres based on a count of fibres greater than five microns in length, and not with five fibres as the schedule suggests. We have adopted a TLV of the two fibres for some time now. The reasons have been explained in one of the reports referred to above. Rajhans' report back in 1972 explained why it had to be two. The limit was also adopted in 1972.

He goes on to say other things. He said:

In August, 1972, Mr. Rajhans revisited these mines for air sampling and ventilation survey. He showed all the results were above the threshold limit value. In view of the above facts I find the statement that you've made about the way it is measured [about five fibres per cubic centimeter] very interesting because of the fact that it took the company and your branch so long to come to this agreement.

"The company and your branch." If you would believe it, as late as Feb. 11, 1975, McCrodan was still writing to Jewett in a memo, "Management admitted that dust levels were above the threshold limit value of five fibres per cubic centimetre" when he knew that the threshold limit value had been two fibres per cubic centimetre for three years.

Finally, no less a person than the minister had to intervene. I have a letter the Minister of Health (Mr. F. S. Miller) sent to the Minister of Natural Resources (Mr. Bernier). It is a very formal letter and I don't blame him because I don't know how in the hell one gets through to those people.

Dear Mr. Bernier:

The occupational health protection branch of my ministry has been using a standard for asbestos in air of two fibres per cubic centimetre, greater than five microns in length. This has been in effect since 1972. [The letter to the hon. Minister of Natural Resources is dated Feb. 28, 1975.] Recent discussions within the branch have led, etc. . .



The above values have been mentioned in various reports and memoranda that have been passed to the mines division of your ministry in the past year.

Finally when the Minister of Health, in effect, said to his colleague, "You damn well comply," the Ministry of Natural Resources did something.

In the process, I remind him of the dust readings—for which occupational health was not responsible—for which the Ministry of Natural Resources was responsible. I remind him of the consequences he knows will occur and I plead with him to find the 800 to 1,000 workers who went through that mine and mill, exhume the nominal roles, track them down, begin to give them periodic X-rays and lung function tests and monitor them carefully, and watch the wives and children because they at least have to have a break.

Even if he reduces the malignancy pattern or asbestosis by 10 per cent, five per cent, one case, that's worth doing. Somebody has to keep after those men. Not a simple little survey to which they are invited but a scrupulous almost fanatic drive to locate them and deal with them medically because it is a combination of government ministries, with all the respect in the world, which is directly responsible for what's happened.

**Mr. Ferrier:** What kind of people are they over there?

**Mr. Lewis:** I can say to him therefore, about United Asbestos in Matachewan, don't be reassured by low fibre counts. Contrary to what the Minister of Natural Resources said, the fibre counts are low at the outset but they rise dramatically over time—terribly dramatically over time in an asbestos mining and milling operation.

We are also learning that a level of two is not adequate; the occupational health branch now recommends one fibre per cc. The scientists say 1/100 fibre per cc because they're learning that fibres shorter than five microns in length appear to lead to malignancies in the same fashion.

They are also learning that the dust count, heavy early on in a new mine and mill can be as damaging; and the dust counts, quite apart from the fibre counts, at Matachewan are obviously very high, judging from Rajhan's report and judging from the pictures the minister has in front of him.

I simply appeal to the minister, yet again, to overcome one of the most sordid sagas of indifference and negligence which this government has to its discredit. I think it has

been documented and that the material is there. I don't see why the minister, of all people, should have to put up with it for another minute. The minister has said he has an agreement or accord with the ministries of Health and Natural Resources and Labour. I plead with the minister and with Labour to sit on them. I don't know about natural resources, don't trust them. Nothing has been done since the middle 1950s in uranium or asbestos which hasn't compromised the lives and health of working people. Something has to be done about it.

Mr. Speaker, that was a subject which also followed from the 1975 campaign and which we will continue to pursue until it is removed as an area for debate. If it is removed as an area for debate, I will concede to it so happily you will be surprised at the speed with which it occurs.

If the colleague from Natural Resources really cleans up those operations and gives protection to the men in all of these hazardous environments, the Minister will never get a cavil from the New Democratic Party. We will be with the minister every step of the way. But, as long as the policies of the government endanger them we will be on the minister's back every day during this budget discussion.

There were a number of other issues in 1975 with which I don't want to deal, but my excellent and friendly colleagues will during the Throne Speech debate. There have been no initiatives in housing; there's been no decentralizing in a way which makes small communities feel better about Queen's Park. I am tired of speaking to the mayor of Smiths Falls one day, and the mayor of Sarnia the next, as they describe to me, often lucidly and persuasively, the bureaucracy and impenetrability of this monolith that calls itself a government. There is no feeling in northern or eastern Ontario, other than new tax exemptions for exploration, that the government is serious about doing anything for those communities.

The government has joined the federal government on wage and price guidelines but there has not been a single price rollback since Pierre Trudeau's Thanksgiving speech. The government has never intervened to protect the consumers of Ontario from price increases, whether it's automobile insurance, home insurance, the cost of lumber, or a number of other items which we will be introducing into the Legislature in the next number of weeks.

They are all, Mr. Speaker, unlimited grounds on which to oppose this government.



I will therefore, in approximately four minutes time, be moving an amendment of non-confidence. But, before I do, and very briefly, let me reflect on the question of an election which such an amendment implies and which I think must be faced.

Mr. Speaker, the New Democratic Party feels entirely philosophic about the question of an election; neither anxious to have one, nor at all hassled if we do. We will not engage, as I stated, in any unnecessary confrontation. We simply have deep differences of opinion with this government. We have not been able to persuade the government. It is therefore important for us to provide a sense of opposition and a sense of our alternatives. Some day that will be resolved in the election place. When it comes, it will come in its own good time. I think the government remains profoundly unpopular. It still represents only a minority view in Ontario.

I felt very confident speaking today. I have spoken too long, but I felt very confident speaking today because I think the current restraint programme is generally viewed as wrong in Ontario, even though the object may be viewed as right. I think the government's failure to deal with some other fields, which many of us dramatize time and time again, is seen as a failure by Ontario.

I have reason to believe today, as I did not last week, that the fortunes of the Conservative Party are on the decline, and that the fortunes of the New Democratic Party are a little better. In fact, I now understand a bit more readily why the Premier's profile has been quite as low as it has although presumably it will be rejuvenated on Wednesday.

We believe, as we look at this government being fashioned that the government should be more measured, more planned, more consultative, that you have to have, in Ontario, less upheaval, less provocation, less compensation, but somehow the government has forgotten, particularly where it concerns the smaller communities of this province, that they are reasonable communities and that the government is behaving unreasonably and that people intuit that. It is almost a process of osmosis. Everybody understands that the Tories went off the rails and they have not yet got themselves back on the rails and it is because of the arbitrariness, the sheer arbitrariness of it all. This government will never match Pierre Trudeau for cosmic insolence when it comes to the democratic process but they do pretty well as amateurs on their own

and that sense is everywhere woven into the body politic.

I also want to say to the government that we are not terribly worried about polarization in Ontario. If it wants to try it, it is welcome to it but we don't think it will work. We don't think it will work any better than we thought it would work when the Premier tried it before a Stanfield dinner and it bombed even amongst the faithful. If it is on to fight, on bashing the NDP, be our guests. We have a very strong feeling that there is enough vulnerability in this government, enough areas that we can point to and criticize and provide alternatives to, solutions for, enough alternatives to restraint on the one hand and additional revenues on the other, enough issues which are central to the life of Ontario that we can take it on. About all that we feel reasonably competent, not provocative but ready to deal with the issues one by one as they emerge in the Legislature and simply take the consequences, and, in that spirit, because of the matter of conviction, we must oppose what the government is doing and reform what it has not done.

Mr. Lewis moved that the motion for an address in reply to the speech of the Hon. the Lieutenant Governor now before the Legislature be amended by adding thereto the following words:

But this Legislature regrets the inability of this government to meet its responsibility for necessary programmes as a result of the deterioration of the fiscal capacity of the province during successive Progressive Conservative governments;

And further, this Legislature regrets the failure of the government to provide, in the Speech from the Throne, any significant proposals to deal with the pressing problems of: (a) occupational health and the lack of adequate safeguards for the health and safety of workers; (b) need to preserve agricultural land; (c) move for a more equitable distribution of economic opportunity throughout the province and, in particular, to northern and eastern Ontario; (d) need for job creation to offset rising unemployment; (e) inadequate housing supply and rising mortgage interest rates;

And this Legislature, moreover, regrets the mismanagement of the government's restraint programme leading to: (a) the failure to develop an overall policy for the delivery of health care services especially as exemplified by the closing of small community hospitals and public laboratories; (b) the failure to respond adequately to financial needs for vital social services par-



ticularly as exemplified by the inadequate funding arrangements offered to Children's Aid Societies;

And further still, this Legislature is opposed to the endless burdening of Ontario taxpayers, exemplified both by the excessive increase in municipal property taxes, which will result directly from this government's policy, and by the additional concessions to the mining industry specifically set out in the speech of the Hon. the Lieutenant Governor.

Therefore, the government has lost the confidence of this House.

**Mr. Speaker:** I don't usually get that applause when I rise. Is it agreed to dispense with the reading of the full motion? Thank you.

Would the hon. member for Hamilton West care to move the adjournment of the debate?

Mr. S. Smith moved the adjournment of the debate.

**Clerk of the House:** The 20th order, House in committee of supply.

The House recessed at 6 p.m.

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Ontario. Legislative Assembly

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Monday, March 15, 1976

Evening Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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MONDAY, MARCH 15, 1976

The House resumed at 8 p.m.

## SUPPLEMENTARY ESTIMATES, MINISTRY OF HEALTH

(continued)

On vote 2903:

**Mr. Chairman:** When we last discussed these estimates, I believe the hon. member for Welland had the floor.

**Mr. Swart:** Mr. Chairman, I guess it's one of the penalties of not timing your remarks to conclude at the adjournment time that you must restart part way through the speech and make it rather disconnected. However, perhaps it is an advantage that you get the opportunity to repeat some of the things that you have said before. However, I had nearly concluded my remarks, Mr. Chairman, and I hope to do so very shortly.

On Friday I had pointed out, in speaking to the estimates on OHIP, that it was my considered opinion, and I think I can say the considered opinion of those of us who sit in this part of the House, that the dominant motives in the cutback programme, which were demonstrated better than anything else by the cutback in the public labs, were twofold on the part of the government.

One, it was posturing on restraint and, number two, it was an attempt—and I think a deliberate attempt—to destroy efficient public institutions for which the government of this province holds no brief. In support of those statements, I submitted some evidence to point out it was impossible to get detailed information from the ministry in support of closing of the public labs; that what was supplied was inconsistent and grossly inaccurate. I pointed out in the case of the closing of the public lab in St. Catharines, which operates on a total annual cost in this year of \$106,000, that they say they could save \$56,000 by closing that lab. That was a quote in a letter from the minister.

That means they intend to provide those services—you intend to provide those services, Mr. Minister—for the sum of \$50,000. I pointed out that the courier costs were

going to be \$14,000 alone and that the tests which would be farmed out to the private labs or perhaps elsewhere to be paid by OHIP would amount to another \$26,000. That is \$40,000 of the \$50,000 cost for these tests under the new system that is already spent before 90 per cent of the tests, or 75 per cent of the work load were provided for.

In other words, it leaves \$10,000 in the budget to do 75 per cent of the work load and 90 per cent of the tests. Even then we didn't account for the cost of moving the people who were employees in the lab to various parts of Ontario.

Of course, it is preposterous that this kind of saving can be made. It's preposterous that any saving could be made in the closing of the public lab in St. Catharines. I think, the other day we documented that. It is, in fact, going to cost substantially more to the citizens of the province to have the tests provided in the future than it has in the past because of the closing down of the public lab.

I didn't mention the human dimension in the closing down of that lab. Of course, it is a small lab, but there is a very real human dimension. There were seven employees in that lab. Of those, four have elected to go elsewhere in the province. One is going to Hamilton; one is going to Thunder Bay—as a matter of fact, she is already there and, with all due respect to my colleague from Thunder Bay, she is terribly dissatisfied and thinking of quitting already and returning to the Niagara region. Of course, if you live in the Niagara region for some period of time you would realize how difficult it was to get used to living in any other place in the province, Mr. Chairman—

**Mr. Chairman:** That may be subject to some question.

**Mr. Swart:** —another one has gone to Kingston; another one of the employees is being transferred to Toronto.

And I say to you that the human dimension, apart from economics—and I talk mostly about the economics because that is supposed to be what the people on the other

side understand, I don't think they really understand the human dimension. I don't think in the environment that they are in they know what it is to have close relatives out of work or threatened with being out of work. I say to you that is every bit as serious as the economic implications, and the economic implications are sad.

There has been of course, as we know, a tremendous increase in payments by OHIP to the private labs—and that is going to get greater with the closing down of these public labs—and they have been ripping off the public right and left. Perhaps that terminology is not correct; they are probably just ripping off from the right. It's not the left, in this case, but they have been ripping off the public. While I suggest that it all adds up to posturing about restraint when you can't prove—and I think my leader documented this very well this afternoon—that it is not really a saving. The net result is going to be greater cost to the people of this province. And at the same time, we are destroying some very efficient and needed public institutions.

I say to you, Mr. Minister, far from operating the ministry and the government on an efficient, businesslike operation, there is fiscal mismanagement to a colossal degree. I have almost come to the conclusion that the group on that side couldn't even run a good used car lot.

**Hon. F. S. Miller:** I can; I have already proved it.

**Mr. Swart:** They stock the cars that operate the poorest and cost the most. Maybe, as you say, Mr. Minister, you are a good used car salesman, because I suppose a good used car salesman is the kind of a person who can sell the poorest product for the highest price. I think maybe you'd be successful in that one; use a little body cement, slap on a bit of paint and wax it—lots of wax, that helps when you try to sell a product—and try to sell it off as a good cut-back vehicle. I suggest to you that it is a pile of junk and the rust spots are already showing through.

Let me tell you, finally, it will never get off the lot; and if it doesn't get off the lot and it is not going to do what you thought it was going to do, it is not going to carry you through the next election.

**Mr. Chairman:** The hon. member for Nipissing (Mr. R. S. Smith).

**Hon. F. S. Miller:** Am I not allowed to answer all that, Mr. Chairman?

**Mr. Chairman:** All right.

**Hon. F. S. Miller:** You know, I am rather flattered with the attention I am getting from the opposition these days.

**Mr. Nixon:** Getting several billion dollars too.

**Hon. F. S. Miller:** I understand there are 20 more speakers waiting to tell me what a great guy I am.

**An hon. member:** That's just tonight.

**Mr. Nixon:** But there's not a soul on your side, Frank, not one.

**Hon. F. S. Miller:** No, that's true. It has always been my observation that the opposition lets a person who is making a mistake bury himself. It would seem that the attention I am getting indicates some apprehension on your part that perhaps the opposite is true and that the people of this province want us to save their tax dollars by better management of those resources that are left to us to run.

**Mr. Swart:** We don't want to bury you—just your party.

**Hon. F. S. Miller:** We'll keep on finding the ways, and in fact all the ways haven't been tapped yet. There is no indication they aren't going to be. I would point out that there have been some inconsistencies in the relationship when you talk about the lab at St. Catharines. The information I have says 90.4 per cent of the total number of specimens—not DBS units but specimens—and there is a difference; units and specimens are not the same thing. In the total workload 90.4 per cent of the work is, in fact, environmental bacteriology or serology. The relative percentages in fact are 53.4 per cent for bacteriology with 37 per cent of total specimens environmental bacteriology, leaving 9.4 per cent the only possible part that could be done anywhere but at a government operated and owned laboratory.

Now, of that 9.4 per cent, not all of it, if any of it, necessarily moves into the private labs. In fact, we are taking measures to see that whatever percentage we can will move to those institutions already funded by public money and which have spare capacity.

**Mr. Swart:** Is that 9.4 per cent, may I ask?

**Hon. F. S. Miller:** I can give you the complete breakdown: 5,366 specimens were bacteriology; three specimens were mycology; 126 were parasitology; 21,195 in the months of April to March—this is about a period of a year.



**Mr. Swart:** Do you have the workload and the number of tests?

**Hon. F. S. Miller:** And 30,572 were serology, for a total of 57,626.

**Mr. Renwick:** How many patients?

**Hon. F. S. Miller:** The great bulk of this has nothing to do with the patient load. Certainly serology results from tests done when doctors suspect venereal disease and send them on for testing. These are not done by anyone else. We have a corner on the market so, in fact, we transfer them to another location. The budget of the lab is not \$106,000 as you said. It is \$128,900.

The present budget of the lab is \$128,900 and it would have gone up probably 10 or 11 per cent this year. The savings of the five staff at \$11,000 per staff member is an extremely low figure to allow for a salary saving. I think if one checked the salaries of the staff members, four of whom have been transferred to openings elsewhere, it would indicate they are earning probably more than that, plus the fact we pay a considerable package in addition to the basic salary.

The \$11,000 that was paid in rent to the hospital, while it is a transfer to another government agency, would not be made up in their budget and therefore, in fact, it is a saving. It is a saving because there is that much less money flowing to that hospital in the coming year.

Now, you must have some information about the courier service I don't have. The tenders weren't even opened the day you mentioned. They were opened that day. Although I haven't see the tender results, I am informed the first one opened was \$12,000, not \$14,000—the lowest as you quoted.

Not only that, a great percentage of the material flows to it by existing services as you know. For example, specimens; of the 47 users of one of our labs, 41 are already using courier service. When one attempts to take the statistics apart some other facts must be kept in mind.

The destruction of viable institutions is utter rot. We are not trying to destroy viable institutions just to prove we can win an election. They were carefully and painfully thought out and done because we felt we had to and done in spite of what your leader said this afternoon because the alternatives were in place, not in spite of the alternatives being in place.

Now, in reference to the human dimension—year after year I hear the speakers from your party talk as if only you have a corner on the human dimensions of this world. That is not so. It is just utter rot again.

**Mr. Swart:** You just don't understand that.

**Hon. F. S. Miller:** I do understand it. I do understand unemployment. Listen, I understand unemployment very well from a personal basis. I understand it from a family basis.

**Mr. Ferrier:** Knowing your background, I don't know how you can take the guff that Jim Taylor gives out.

[8:15]

**Hon. F. S. Miller:** I'm going to limit my comments to my ministry, okay? I have enough trouble in that area.

**Mr. Foulds:** The people in Ontario have enough trouble with your ministry.

**Hon. F. S. Miller:** Yes, and they'd have a lot more if you were running it. Mr. Chairman, I was told to ignore interjections; I shall.

**Mr. R. S. Smith:** I have a few remarks to make on this vote. In regard specifically, again, to laboratory closures, as well to the whole area of the use of laboratories across the province. I think there has to be a rationalization of the laboratory services that are being provided. I don't think you can only look at the two areas that have been mentioned in this House so far; and that's the question of the private laboratories, and also the public laboratories that are situated in the hospitals, where most of the expenditure is. Of course, there has been no mention of that whatsoever. I believe OHIP payments made in that area are perhaps much greater than those made in the area of private laboratories. Of course the cost of the provincial laboratories is much less again.

**Mr. Renwick:** Have you any figures on that?

**Mr. R. S. Smith:** The hospitals in my area—

**Mr. Renwick:** I said did you have any figures?

**Mr. R. S. Smith:** No, I'm not saying I have. But if you go to a hospital where there's a laboratory—where it's above 150 beds—the payments in that hospital are well over \$1 million to the lab.

**Mr. Renwick:** I wanted to know whether you had any facts, that was all.

**Mr. Nixon:** Whose side are you on? Aren't you supporting the little man; the small community?

**Mr. R. S. Smith:** He's supporting the pathologists, whom I'm just going to talk about. They sometimes make \$150,000 to \$175,000 a year.

**Mr. Nixon:** He supports the corporation lawyers.

**Mr. Chairman:** Order please.

**Mr. Renwick:** That is what this debate is about, the facts.

**Mr. Chairman:** Order, please.

**Mr. R. S. Smith:** I guess that is why you are not taking part.

**Mr. Renwick:** Neither are you.

**Mr. Nixon:** You want that laboratory closed in North Bay.

**Mr. R. S. Smith:** Is that right?

**Mr. Chairman:** Order, please.

**Mr. Renwick:** I just asked for some facts.

**Mr. Nixon:** He is interrupting, Mr. Chairman. The hon. member for Nipissing has the floor, I thought.

**Mr. R. S. Smith:** The hon. member for Riverdale is a little upset, I don't know why.

**Mr. Chairman:** Just ignore the hon. member for Riverdale.

**Mr. Nixon:** He is very difficult to ignore when he asks for facts.

**Mr. R. S. Smith:** The minister will provide him with the facts; that the payments are much greater to the labs in the hospitals than they are to the private labs. Anybody could see that without even looking; even you could see it, if you looked.

The fact is that among the pathologists who run the labs in the hospitals across this province there's no equality at all. There are some on salaries who are making as low as \$35,000 to \$40,000 a year. Now I don't consider that a low amount, but there are others who have different types of arrangements with the hospital laboratories and who are making as high as \$150,000 to \$160,000 per year.

**Mr. Reed:** That is factual.

**Mr. R. S. Smith:** And that is factual, if the member for Riverdale doesn't buy it.

**Mr. Nixon:** Surpassed only by certain corporation lawyers.

**Mr. Renwick:** Why don't you name some names?

**Mr. Nixon:** They are all listed in the monthly returns. They are there for you to see if you read, for those who have eyes.

**Mr. R. S. Smith:** What I'm saying is that if you're looking at one you've got to look at them all. There's no question there is a situation in the private laboratories that has to be investigated; but I also say that you have to look at what's happening in the hospital laboratories. We have to get to the point in those laboratories where the people who are running them, those people who have some type of a hold on that laboratory, are paid equally across this province and are put on salary. I believe that that's the only equitable way that situation can be cleared up.

It's very odd to me, as a lay person, that one pathologist who is running a lab in an area is on salary for \$35,000 or \$40,000; and another is on a percentage of the OHIP payments to that lab and sometimes making in excess, at some locations, of over \$150,000.

I believe that area has to be looked at, as well as the private labs, because I think there are differentials there which are costly to this government, as are the difficulties which have been brought forward in regard to the private labs.

Of course, there are the other labs, the public provincial labs which have been closed in this province. Perhaps the member for Riverdale is supporting the minister on these, I don't know, but if he'd listen to his leader to his right I'm sure he wouldn't.

**Mr. Renwick:** We don't want our case destroyed—

**Mr. Eakins:** Put your name on the list.

**Mr. Renwick:** —by the arguments put forward by members of the Liberal Party in support of their stand. We'd like to have your support, but we'd like to—

**Mr. Chairman:** Will the member for Riverdale come to order, please?

**Mr. R. S. Smith:** Yes, will you do something with him? He's out of hand, really.

**Mr. Nixon:** It certainly is difficult to have a coherent debate.



Mr. R. S. Smith: I would just like to quote from the minister—perhaps I'll go back to Dec. 18 when I had a phone call from the minister to tell me that the lab in North Bay would be closed and that decision would be announced on the following day, the day after the House was to adjourn. The minister gave me no reason other than the fact that it was to save money. I asked him a number of questions in regard to the lab but there was no real answer forthcoming.

On Jan. 19 I spoke to him again in the House. At that time there was still no answer forthcoming so I went to see—he set up a meeting for me with his assistant deputy minister at that time, so that I could obtain some of the facts in regard to the closure of that lab.

I went over to see the assistant deputy minister and he provided me with some facts in regard to what the savings would be—what the total cost was and this type of thing—which had not been made available to the people concerned with the laboratory itself—the employees—nor had it been made available to the people in the general area who were going to be affected by the closure of the lab.

The assistant deputy minister said that the total cost of operation of the lab was \$254,000 and to close the lab there would be a saving of \$208,000. He indicated to me at that time that the environmental bacteriology that was being done would be done in Orillia. He also indicated to me that the other laboratory work, which represented 44.8 per cent—is that factual enough for the member for Riverdale?—would be done partially in Sudbury and partially in Toronto. That left 3.6 per cent, for hematology, which was to be done in the lab of the North Bay Civic Hospital.

That was the position and those were the facts—the only facts—that I could obtain from the ministry, except the breakdown on a percentage basis of where the work came from that went into that lab. Those facts are not important at this point; however, the total volume was 50 per cent environmental bacteriology and 50 per cent serology and other types of chemical analysis which couldn't be done in the same type of process as is used for environmental bacteriology.

What I learned on that day was that the saving would be \$208,000 on a total cost of operation of \$254,000, and on these facts the lab was to be closed. At a later date the minister made a statement. He said the decision to close the North Bay public health laboratory was reached only after thorough studies had been made. I don't know what

these thorough studies were but the facts he now comes forward with, in his statement about a month after I had met with the assistant deputy minister, are altogether different.

Mr. Miller says we are going to save \$167,000 instead of \$208,000. This indicates a discrepancy of at least 25 per cent between the assistant deputy minister's figures and his figures. These were supposed to be things that were all done prior to the announcement that he was going to close the labs. It indicates to me that there had been no figure arrived at when the announcement was made, that in fact there was no thorough study done whatsoever. He must have just picked the four labs out of the air, because obviously the facts conflict depending on who you talk to within the ministry.

Mr. Miller also said, in the same statement, that the work load had diminished by eight point some per cent. That is true, but in the interim during which the work load diminished in that lab, they had opened a subsidiary lab in Sudbury. This had taken a good percentage of that work load, and if they had not opened that subsidiary lab there would have been an increase in the work load.

In his statement he said that integrating laboratory services between St. Joseph's Hospital and the Civic Hospital was going to provide an alternative and that 34 per cent of the work which was coming to Toronto would then be going to that hospital lab. When this statement was made, and up until last Monday at least, there had been no arrangement made between this ministry and the Civic Hospital as to whether that work would be done there or not. So there couldn't be any value put on what that 34 per cent of the work was going to cost, because there had been no arrangements made between the hospital and the provincial laboratory services.

The \$167,000 he has come up with was not based on any factual information, because there had been no agreements made, almost anywhere along the line, to provide the services.

It becomes apparent that saying "after thorough study" was a really misleading statement. Thorough studies still haven't been done, because now I understand that environmental bacteriology is not going to be done in Orillia at all. It is going to be sent to the lab in Sudbury.

Those 10 people or so who are employed in North Bay have all obtained other employment, except for one. Some of them have



been moved to increase the complement of other labs in the area. Two people have been moved to Orillia. One of them is the director; that won't increase the complement but the other person will, as I understand it. One of them has been moved to Sudbury; and there will be another person added to the staff of that lab, so there are two more people there. One of them has been moved to Hamilton. One of them has been moved to Thunder Bay to increase the complement of that lab.

So we are talking about four people who are going to increase complements of other labs. Yet the minister has just finished saying that \$11,000 does not nearly cover the costs of a person working within the laboratory services, if I understood him correctly. Now there are four there. One moved out of the province; one moved out of the laboratory service; one was moved to the psychiatric hospital next door; and there was one without a job.

There has also been an announcement that the mobile lab will be brought into the area for a five-month period this year, with two full time employees. So there again we have a cost that I am sure will exceed \$35,000 to \$40,000 when you consider the equipment that is being used, as well as the two salaries that have to be maintained for that period of time.

So it's very difficult to find out how the minister has arrived at his saving of \$167,000 and his assistant deputy has arrived at an amount of \$208,000. Now, to put those two figures together is really impossible and shows just how much thorough study was done prior to Dec. 18, when these figures were made available, on Jan. 19 and again in late February and early March when your full statement came out in regard to all the lab and hospital closures. Within that one-month period they dropped \$40,000 someplace. I just can't figure that out.

[8:30]

Beyond that, though, there is the whole question of the service to the area. I'm sure that the laboratory service that's going to be brought in on a temporary basis this summer will provide what is required for the lakes and rivers in the area insofar as water sampling is concerned, and the many areas that are unorganized and have no water supply other than that taken out of the ground must use these facilities from time to time in order to check on their drinking water.

I'm sure that service will be fine for that five-month period. But it also leaves another seven-month period where there will be no service that will be as quick as, and perhaps

no more efficient than, the service that is now provided in the area.

I do not know what the costs are for the courier service that is to be developed, as well as the other types of transportation that are to be used in order to get these samples to the labs in Sudbury, Orillia and some up to Timmins. In fact, no one knows what kind of an arrangement has been made with the local hospital in connection with that 34 per cent of the work—nobody knows where it's going, either to Toronto or to the local hospital, and what kind of a cost figure can be placed on that.

Since the minister and those within his department came out with different figures long after Dec. 19, when the original announcement was made, it becomes apparent that there was really no study done concerning the decision. Also there was no consultation whatsoever with the local people involved or with the staff at that lab.

For the first month there was nobody on the scene to deal with the staff and to explain to them what was happening. It was not until well after Jan. 17 or Jan. 18 that anybody appeared to explain to the staff what would happen. In fact, when they did appear, they were told that if they did obtain employment in a laboratory service someplace else in the province, they wouldn't even be provided with the cost of moving and so on. And this is what Dr. Willoughby informed them. The week following that, of course, they had somebody from the—I'm sorry, I just can't remember the part of the ministry that looks after that type of thing—they were up there and they explained to them how they would be moved if, in fact, there was employment elsewhere.

But there was never a list provided, until two months after, of what jobs would be available in other laboratories or in other sectors of the ministry. So these people were left to hang in the air for a period of two months. Eventually there were six who did obtain employment within the government, not particularly within the laboratory staff.

I'd just like to make the point that, first of all, the whole matter could have been done with fewer problems at the local level if, in fact, there had been consultation beforehand and if, in fact, there had been some type of study done as to what would happen with the work that was to be done and what the cost would be.

To this day I don't believe there are any hard and fast figures available to show what the actual cost and the actual savings will be. On this basis, the people in my area



feel they have no alternative but to oppose the removal of the lab until they have at least been provided with a set of figures that add up and they are given the opportunity to discuss the matter with the ministry based on those figures. So I would ask the minister if, in fact, he does have a final set of figures on which the costs can be placed; and if he does have that final set of figures if we are in a position now where the people in the area can discuss it with the ministry, and the laboratory staff can also be given the opportunity to show where the need in the community still exists in so far as the lab itself servicing the area is concerned?

Beyond that, there are a number of organizations—and the minister alluded to one in his statement on Friday in regard to some of the testing that is being done in the schools, a programme that was started some three years ago—which have put private financing into that testing and do not feel that it has been totally explained to them, other than what you said on Friday last, that in fact the processes that will take place will be sufficiently fast to give the results that are required.

Perhaps with these remarks I would close, except to ask the minister, when he is considering laboratories, that he look at all three kinds of laboratories and not just two, because I think the savings that could be brought about within the hospital laboratories would be much more than what he is going to save by closing four provincial laboratories. I know that this ministry and this government have not wanted to interfere with that very sacrosanct place that the pathologists might have across this province, or might not have. I believe it is time we looked at that and we looked at it very closely; and that they were placed on some kind of a schedule of salary that is commensurate with the work they do.

**Hon. F. S. Miller:** I'll be very brief, Mr. Chairman. Hospitals don't get a fee-for-service for lab services. They get a budget.

**Mr. R. S. Smith:** No, but the pathologists do.

**Hon. F. S. Miller:** The pathologists do, providing they don't have a contract with the hospital for salary or for some other method. The hospital doesn't have to pay them the amount of money that it gets from OHIP for their salary if it wishes to pay them a lower amount. On the other side, some hospitals have paid more. They have paid a salary that exceeded the gross professional component of the pathologist's fees because it was difficult to get pathologists on a salary basis

in the past. That problem is easing as time goes on.

One of the reasons for the expansion of the private lab sector, the sector that has received so much criticism of late, has been the ceiling on the budget for hospital lab services. Hospitals—and one was quoted to me today and it will be on the press tonight I am sure—have had a tendency to sublet work into private labs if they were feeling budgetary strains within the hospital in general.

I don't like that. I can understand why they do it. It has not been illegal or immoral. It has been an easy way to save certain moneys within their budget and transfer them to my budget in another division. It is not easy to plug that, but that is one of the loopholes we intend to try to plug within the next few months.

The criticism I've got quite often from people is that we have made no attempts to help the staff become relocated, and yet both yourself and the previous speaker have documented that our displaced employees at these labs have been helped to find open positions in other labs where they existed, and there was a small complement change in some of the labs to compensate for the amalgamation of services.

As for the last thing, we think very highly of the programme run by the Kidney Foundation in North Bay. In fact, as you may know, between November of last year and February of this year students from three schools were tested; 1,036 of them between the ages of 12 and 15. Six per cent of them showed test results that indicated a need for a doctor to follow up with them. We believe the programme should be continued if the local people want it to be, and there is absolutely no reason in the world why it wouldn't be as effective now as it was when the lab was in North Bay.

Witness the fact that many other communities could do the same thing, although to begin with they wouldn't have had a local lab. We simply say the programme was not of an urgent nature in terms of getting results within minutes or hours of the tests being done. The speed with which the response was made had nothing to do with the value of the programme. We commend the programme and hope it carries on.

**Mr. R. S. Smith:** I would like to say to the minister that he hasn't really touched on my main remarks. I don't really think a thorough study was done prior to Dec. 18; and if it was done, why could your ministry not pro-



vide at that point definite cost savings, and why has there been a differential in the cost saving from month to month as I have made inquiries? Obviously there wasn't a thorough study or you could have given those statements.

Why, at this point, are you now saying there was a thorough study done when you are still looking around to find places to get some of this work done? Obviously there have been no arrangements made with the local hospital, unless they have been made within the last week, which was well after the time of your statement?

**Hon. F. S. Miller:** I obviously can't from personal experience, tell the member whether or not arrangements were made with the local hospital.

**Mr. R. S. Smith:** You said there was.

**Hon. F. S. Miller:** No, just a second; I said I can't say from personal experience because I didn't talk to them. I can only tell you I was told they were. I was told this would happen and you say it hasn't. I am quite willing to have our facts checked out to see which of us is correct. I simply have to depend upon people giving me information at times. I haven't had any reason to doubt the correctness of the gentleman who told me that.

As for the change in the dollars, the dollars we showed in my original estimate and the dollars we showed in my press release are both the same. If Gary, in working it up with you in his office, trying to show you an illustration, had some variation in it, I would wonder if he made some error talking to you that day as compared with the figures he gave us. He spent some time with you. I don't think he tried to rush through it.

Interjections.

**Hon. F. S. Miller:** I think he tried sincerely to offer that information. I met with a delegation from North Bay in Sudbury, as I am sure you know. I understand representatives of the ministry returned to North Bay, we sent people up to talk to a public meeting on the matter, did we not? Well we said we were available if we were asked and I was told that Mr. Chatfield in fact visited North Bay to do it.

**Mr. R. S. Smith:** No, he has been asked but he has not come.

**Hon. F. S. Miller:** He had made arrangements to go on a specific date, that much I know.

**Mr. R. S. Smith:** Well he hasn't been there.

I just have one more question, Mr. Chairman. The minister made a statement in Sudbury that there would be an additional 45 jobs at the psychiatric hospital in North Bay. He was using this to soften the blow of the closing of the labs. These jobs at the psychiatric hospital were supposed to be created because of the movement to North Bay of patients from Northeastern or the one up in the Porcupine. But of course this never did come about.

**Hon. F. S. Miller:** Oh, oh, oh!

**Mr. R. S. Smith:** The movement of the patients came about but the creation of the jobs never did come about.

**Hon. F. S. Miller:** Mr. Chairman, he's wrong and I will get the data for him, although I may not have it tonight. You are wrong.

**Mr. Ferrier:** Mr. Chairman, one bright note that seemed to be sounded in the midst of the crisis that we went through in our community after the announced closing of Northeastern was the fact that at least the lab would be left. The minister had given us a commitment that new facilities would be made available for the provincial lab in the city of Timmins and we had put up quite a case before him and his ministry. I believe that those new facilities are under way and probably in eight or nine months' time the lab in Timmins will be in decent facilities and the staff will have a reasonable working environment in which to carry out their work.  
[8:45]

I am wondering if the minister feels that there are economies to be realized in the lab field in an area such as my own, the district of Cochrane, by amalgamating some of the services under perhaps one or more of the general hospitals. I know there is a private lab, MDS, operating out of the 101 Mall in Timmins, which serves some of the doctors, while other doctors use the lab at St. Mary's Hospital. I believe the lab in St. Mary's Hospital also serves some of the surrounding doctors but not all, whereas the private lab serves some of the doctors from other places. It seems to me that there is duplication of services and facilities there.

I have heard statements made that the most expensive type of service that the public gets is through these private labs, and I wonder how speedily the study is really progressing that I understand is supposed to be under way



at the district health council of the labs in the area. I think you could very well have the whole situation of the lab services for the district studied by that health council and some pretty definite recommendations made.

I would like to know why you permit duplication of services if, in fact, there is duplication of services between a private lab and those in the hospitals. Do you not have any say about private labs springing up in an area to carry out their services? You have got pretty close control over nursing home beds, chronic care beds and that type of thing, and it would seem to me, when there is a public outlay of money to the labs, that you could have just as strong a say there.

I wonder if you have thought of having the health council go into this matter in some depth as part of the study it was looking at and whether it would be possible to remove some of the duplication of services and, if necessary, expand the public health lab that is there to get the new facility. I think that maybe this is the kind of approach you could take.

If you are going to close some of the public labs and get the kind of resentment in the communities that there has been in those four communities, why can't you close some of the private labs by refusing to provide OHIP money for them?

**Hon. F. S. Miller:** Mr. Chairman, savings by amalgamation of laboratory facilities certainly are very real. This does not limit itself to any specific type. We are just as anxious to amalgamate laboratory services between hospitals where duplication exists as we are between the private and public sectors. I haven't heard of the Health Council's wish to make this study but I'm sure it's certainly one we would encourage if it wanted to look at the duplication of services.

Duplication, though, by another name, is competition. Under some circumstances that's good; under some it isn't good. If, in effect, there's a limited market, then the competition is good. The one problem I have is that where we have already bought and paid for publicly-owned laboratory facilities I feel they should be utilized to the fullest rather than have them run at a low percentage of capacity and still farm business out to the private sector.

We do have complete control over the licensing of private labs. Very few have received licences since they were required to have them in 1972.

Not only do we license them for location but for the type of tests. One of the things we will probably do in the next few months is start restricting some of the existing licences when there is fair capacity in a publicly-owned facility for that type of test.

**Mr. Makarchuk:** You should have been doing that two years ago.

**Hon. F. S. Miller:** The fact remains, though, that your party and ours will disagree upon what the lowest net cost is starting from scratch. In other words, if in a community today we had to create more laboratory facilities to meet the demand—a legitimate demand—I would suggest to you that they will be done more cheaply by the private labs than they will by the public labs—not what I pay for them right now but in terms of the net cost per test done.

Let's not confuse that with what I'm paying, because I think valid arguments can be proposed that an LMS unit which is not related to the volume of tests done on one location can, in fact, become very profitable as volume goes up.

Woods Gordon, I understand, did a lung test study for us in Hamilton. Their conclusions were that there was little if any difference between the two sectors, although there were so many variables they really qualified their answers very carefully in saying that the private labs were or were not cheaper, or more expensive, than the public labs operating in the Hamilton area alone. They also recommended that I not try to transpose a decision based on a study in Hamilton to any other part of the province because of the lack of validity in so doing. So, in effect, that conclusion has been left unmade.

The one thing I can say to you is if, in fact, the private sector's true costs for running a lab are lower than the public sector's, it's the first time private enterprise has not beaten government in terms of cost.

**Mr. Makarchuk:** Come off it.

**Mr. Ferrier:** If I could just pursue that for a minute: You talk about the private labs being able to do it cheaper. I think you're talking about efficiency. Surely when there's no profit involved and the right kind of management and administration is being given, it stands to reason that it could be done a good deal more cheaply in the public sector?

**Mr. Duksza:** Not only could be but it is cheaper.

**Mr. Ferrier:** The computer work for this government is done under the Ministry of Government Services, but it is handled in such a way that it's competitive and even lower than the private sector. If it can be done in computer work why can it not be done in some of the other areas? Why can't you get the same productivity? That says something for your management ability over there on that side of the House.

**Hon. F. S. Miller:** The one big difference between our party and your party is we recognize that the moment government tries to run things they aren't run efficiently. Your party keeps on believing that the public sector can always be run more efficiently.

Interjections.

**Hon. F. S. Miller:** Mr. Chairman, can you hit that gavel for me?

**Mr. Chairman:** Order.

**Mr. Duksza:** Mr. Chairman, he is being very provocative.

**Mr. Chairman:** The hon. minister has the floor.

**Hon. F. S. Miller:** I think we're into the kind of argument that will forever separate your side of the House from my side. British Coal, British Steel, British Airways, British Rail all were formed on that basis. Every one of them has the lowest productivity of anything in the European Common Market.

Interjection.

**Hon. F. S. Miller:** They were based on the assumption profit was something taken from people.

**Mr. Martel:** You Tories kept giving it back.

**Hon. F. S. Miller:** I will tell you, when government takes over it is an added cost to the people.

**Mr. Martel:** The Tories kept giving it back. Don't distort the facts. You kept giving it back every time. The Tories gave it back. The Tories gave it away.

Interjections.

**Mr. Makarchuk:** The difference between our party and their party is the fact that if we put—

**Hon. F. S. Miller:** Mr. Chairman, on a point of order. Is he speaking? Is he the next speaker?

**Mr. Chairman:** There is nobody from the Liberal Party who wants to participate.

**An hon. member:** They gave it up.

**Mr. Riddell:** We are waiting for the next vote.

**Hon. F. S. Miller:** What a pleasure.

**Mr. Ferrier:** That's a change, isn't it?

**Mr. Makarchuk:** Mr. Chairman, one of the things we would like to get across to the minister—

**Mr. Nixon:** If you think listening to Makarchuk is a pleasure you need help.

**Mr. Makarchuk:** —is that if we were running the government, or if we were running the labs or some of these things, we would put people in charge of those institutions who believed in the institutions.

What the ministry has is institutions that are public and people in charge who do not believe in the public enterprise. It is very easy to go around and say it doesn't function, particularly if you have a hand in screwing it up.

**Mr. Martel:** Right on, right on.

**Mr. Makarchuk:** In getting into the debate I am reminded of an ad that used to run on TV, generally just before the national news, extolling the virtues of the post office. Somebody sent tests to a lab somewhere in the distance. Eventually some reply arrived and of course a frantic person came screaming out of the door, "It's okay, it's okay!"

We know the virtues of the post office. After the ministry goes into the lab business I have a feeling the same situation is going to exist in Ontario.

I was at the meeting at Woodstock, Mr. Chairman. There were a lot of people out there. Somehow they came out on their own and they were people who lived in Woodstock. They have a stake in the community. They are not dumb people. They are not ignorant people. They are people who know what is going on in that community.

They are people who are members of the municipalities; they are people from the hospitals; they are people representing the defined groups—the educational groups and so on—in the community. These are the sort of people who make Ontario run. Each and every one of them got up and said what the minister was doing was wrong.

Obviously, when we come down to it, Mr. Chairman, it's a fact that this ministry, the



computers and minions at Queen's Park know exactly what's going on and what's happening with the lab in Woodstock. The people in Woodstock obviously don't know anything.

Let me tell you, Mr. Minister, you are dead wrong. That's something the people in Woodstock and a lot of other places in Ontario are not going to forget. One of the lessons the minister should have learned in the last election was that it is important to listen to the people of Ontario. They have something to tell and the ministry should listen to them. Obviously, the lesson did not sink in. The ministry has gone ahead without taking into consideration any of the local wishes of the people and proceeded to chop and cut without any reason.

Let me suggest something to you, Mr. Minister. At this time there are some unusual operations going on in the private labs; hopefully the minister is going to investigate some of things that have been brought out in this House. Hopefully there will be some changes made.

Until such time, Mr. Minister, I would suggest the public labs be left alone because, as was pointed out earlier here by the leader of our party, there are a lot of savings that can be made. The ministry may have to do a lot of relocations and may have to bring about changes in the private labs operation of the province.

Until the minister has resolved this problem, investigated the expenditures, do not touch the public labs. We can stand here and argue back and forth about the figures; you have your figures and I have my figures. You are no expert on it and neither am I, but I have seen the figures that were provided by the people who work with these labs. I have seen the figures of the people who operate these labs and their figures do not agree with your figures. In fact, in the Woodstock operation they say the extra cost to the ministry will be something like \$127,000. It would cost more if the lab were closed and some of the work farmed out to London and private labs, the drivers hired—which you are advertising for, incidentally, in your papers—and to buy the cars, buy the insurance, pay for the gas, run these things, run them by bus or anything else.

[9:00]

Mr. Martel: No wonder it's more costly.

Mr. Makarchuk: And you expect to save money that way. I really can't understand it and the people out there can't understand it. The message I want to leave with you is the

fact that there are a lot of people in the community who I think know something about what is going on there. It was unfortunate that the member for the area at that time was unable to attend, but I'm sure he's got the message since then. What they're trying to tell you now is, for gosh sakes, you are making a mistake and this time, with everything else happening in regard to the private labs, you could leave those labs open.

Hon. F. S. Miller: Obviously the speaker has not paid any attention to the fact that the great bulk of the work in those labs is not done in the private labs under any circumstances, and had to be transferred to other government labs.

Mr. Chairman: Shall item 1 carry? The member for Windsor-Riverside.

Mr. Burr: Mr. Chairman, realizing that there are time restraints on these supplementary health estimates, a typical Tory restraint resulting from typical Tory lack of planning, I shall be as brief as I can. We should have been called back here two or three weeks ago so that both the supplementary estimates and the Throne debate could have had the adequate discussion they deserve.

If the hospital and social service cutbacks are not part of Tory strategy to pander to the redneck Conservatives out there amongst the voters, and if our Minister of Health has simply been told to make a \$40 million or \$50 million OHIP saving as his share of reducing the anticipated debt, then the issue we are debating in these estimates is simply whether the minister's method is the best method.

My colleague from High Park-Swansea (Mr. Ziemba) has already indicated that there could be a saving of some \$40 million or \$50 million if the elaborate tests that have become routinely ordered by some physicians were controlled or, in government jargon, restrained. In 1971 OHIP paid less than \$18 million to the private labs. By 1975 it was over \$66 million, and the projection for 1976 seems to be in the order of \$88 million.

Mr. Chairman, I say to the minister make your \$40 million saving by controlling the indiscriminate and unrestrained acquiescence by many doctors in prescribing unnecessarily numerous medical lab tests. A better auditing system is obviously required. Apparently significant savings could result from a better system.

But the great weakness in OHIP has been, ever since its inception, the open-ended



nature of the government's arrangement with the Ontario Medical Association.

I have spoken more than once on this subject during the Health estimates in past years. Should the minister care to look up one of these occasions, I refer him to the year 1974, Oct. 31, page 4740. The minister's usual reply to my suggestion has been that it has been considered and rejected. So I was encouraged on Friday morning to hear the hon. member for Hamilton West (Mr. S. Smith) come up with the same proposal that I had been making for several years. And I was interested in the minister's usual, quite inadequate reasons for rejecting a closed-ended arrangement.

**Hon. F. S. Miller:** You have undergone a change.

**Mr. Burr:** Oh, I hadn't noticed. For the last time, Mr. Chairman, I am going to attempt to persuade the minister to adopt a closed-ended system for OHIP as far as each kind of medical service is concerned. My recommendation is based not on some abstract theory but on actual practice and experience, not in some remote corner of the earth but right here in Ontario. This closed-ended system existed for many years and worked successfully in Windsor and Essex county, probably for 15 or 20 years, before OHIP was established. It was run by the doctors of the Windsor and Essex county area. I think eventually it even extended into Kent county. Briefly and simply, the system worked as follows—and I have never been able to get the minister to listen to this carefully so I was hoping on this final appeal that he would really bear down and think about it for the first time.

This is the system simply stated and briefly stated: Monthly fees were contributed and collected from subscribers throughout the area, mostly through employee groups and by payroll deduction. At the end of each month, administration costs were deducted and the balance was divided among the participating doctors, of whom I think there were 98 per cent in the Windsor area, on a pro rated basis according to the value of the services for which each doctor sent in bills.

If administration expenses amounted to 10 per cent then the remaining 90 per cent of the premium was divided among the doctors. If the number of services was above average in any particular month, then each doctor presenting a bill for a \$5 service might get only \$4.80 or \$4.85. If the number of services billed was below average, each doctor would receive the full amount allowed by the fee schedule and the surplus was put into a reserve fund.

When the system ended, incidentally, there was a reserve fund of about \$1 million which was divided among the participating doctors. This system never went into the red. By its very nature, it couldn't go into the red because the system never over-spent. It served the public by guaranteeing whatever medical services were required. It served the doctors by ensuring that 100 per cent of their bills were collectable instead of only 50 per cent as had been the case with most physicians for generations.

There is no reason this system could not be adapted to the medical part of OHIP. There is one advantage of course that Windsor Medical had and that is in the fact that the participating physicians were sufficiently few in number to allow every member to be known to at least one member of the doctors' managing committee. In Windsor, I understand that one doctor always sent in an excessive number of bills and he was routinely paid for half of them. He never complained and the committee never commented.

The group was small enough to deal with and discipline its members on a personal and informal basis. OHIP, on the other hand, because of its magnitude, becomes impersonal requiring spot-checking, supervisory personnel, and computer devices, all of which adds to the expense and the overhead. Through an open-ended system, the ministry can form fairly accurate projections of the coming year's expenditures but this is a projection based on all the numerous disincentives to economize that have been outlined already in this House.

There have been no restraints in the OHIP medical system and there will be no restraints in 1976. The ministry should eliminate from OHIP all the incentives to provide unnecessary uses of doctors' services whether for surgery or for weekly or monthly routine check-ups. The ministry might allot a specific sum each month, to be shared by whatever groups are appropriate, either geographically or perhaps according to specialized interests. For example, the surgeons, the anaesthetists, the general practitioners, the chiropractors, the obstetricians—this is purely a suggested variation—might be regarded as groups and allotted a monthly amount to share. It might be better to decentralize so that Windsor Medical would essentially be revived, the only difference being that the collection of money would remain provincial, the payment to participating doctors would be administered locally.

Replicas of Windsor Medical could be organized in all the other regions or dis-



tricts or counties as deemed appropriate. Incidentally, Mr. Chairman, another possibility for closing the open-endedness of medical fees might be to use the same restraint that has always been used for the chiropractors. Chiropractic services can be given to a patient only up to an annual maximum amount of \$100 and \$25 for x-ray services. The chiropractors have been restrained, in this sense, ever since they were admitted to OHIP.

If general practitioners, for example, were restricted to a \$100 a year fee for certain kinds of patients—those who visit regularly for reassurance, the hypochondriac perhaps—the minister might find that the number of visits scheduled by some doctors would drop surprisingly.

This system that I have mentioned would probably help to solve the minister's problem about the apparently excessive number of certain surgical operations. In local areas, peer pressure, to use an educational term, would become a factor. If a certain surgeon was performing three times as many tonsillectomies as his local colleagues, questions would certainly be asked that are not now being asked. If the local surgeons were sharing a limited, finite, closed-ended monthly allowance or salary from OHIP, the performing of questionable operations by some surgeons would be more easily detected and would in all likelihood be restrained. At the present time, if one doctor is doing far too many operations, visits, tests, or what have you, the other doctors aren't particularly concerned; first, because they don't know about it, and, secondly, it's because it's the provincial taxpayer who is being ripped off.

When you have a local system, however, where everyone is acquainted, if one doctor got out of line and if the salary allowance of the whole group was being ripped off then, as I said, the peer pressure would certainly be there and this would help the minister, I'm sure, get restraint enforced locally.

Although it is probably not an alternative method of saving as much as \$40 million or \$50 million, I should like to suggest that the fees for hospital visiting of patients be revised. If a doctor has to drive several miles to visit one patient in his home and if he spends an hour of his time doing so he certainly earns whatever the fee schedule allows. If, however, another doctor visits a dozen patients all in the same hospital and spends only an hour doing so he does not deserve to be paid 12 times as much as the first doctor. Couldn't fees for hospital visiting be put on some other basis, perhaps on an hourly basis? This

is a matter, of course, that would require consultation with the OMA, but it is a part of the present fee schedule that is suspect in the eyes of a great many members of the public.

Let me conclude by summarizing: First, make the required \$40 million or \$50 million saving by controlling or restraining the amount of testing performed by the private labs. Second, establish a ceiling on the amount of money allotted by OHIP to the various health services provided by the various groups of practitioners. The \$40- or \$50-million saving could easily be achieved in this way. Instead of doing this, of course, the minister is going to cancel the benefits of the \$40 million or \$50 million saved by disemploying, to coin a verb, 5,000 hospital staff members by giving the doctors an estimated \$56.7 million increase.

[9:15]

This is only an estimated amount because he has an open-ended system of paying doctors, a system totally lacking in restraint, in fact, a system that discourages restraint. This estimated \$56.7 million may end up at the end of the calendar year as \$70-million.

Finally, point three: For reasons that are obvious and compelling to all those affected, don't close the 10 small hospitals, please.

**Hon. F. S. Miller:** Mr. Chairman, in spite of the perhaps provocative and almost acerbic comments to begin with, the rest of the hon. member's talk was thoughtful as it almost always is from this particular member, and very constructive I must say. I don't really disagree with the objectives you've stated in your comments at all. In fact, I think you will find that the Maxwell Henderson report said that open-ended programmes in government should be closed whenever possible. OHIP is an open-ended programme. We recognize the difficulties of closing it. You have to realize, of course, that we are looking at ways and means and the suggestions you made relating to the Windsor area would be valid if, in fact, all the funds were raised in easily identified ways as they used to be on a premium basis. They are not now, as you know. Perhaps one-fifth to one-sixth or something thereabouts are.

If I were just philosophizing and dreaming as to how one eventually would have district health councils function, they would take over some of the duties you are talking about once they passed their first X years of getting used to planning. They may well solve, in the long run, some of the very things you are talking about.



Dr. Mustard in his report suggested some of the ways you are talking about of closing the open-endedness of the system. For example, they are open-ended to a degree because people can move in without restrictions. The problem with the chiropractic analogy to medicine is, of course, that we really need our medical aid in large dollars under crisis conditions. Chiropractic has seldom had that overtone to it. We simply have said that a life has seldom been saved by chiropractic. I am sure some chiropractors would argue with that. It is more often a treatment seldom required in, let's say, high dollar values for any one person.

**Mr. Burr:** Well, that is why I compared it to this weekly or monthly checkup.

**Hon. F. S. Miller:** Yes. I don't mean to give you the impression that we aren't prepared to look at ways of closing the open-endedness of OHIP, we are. I have to be satisfied that they will work. Capitation is one of them. The systems of capitation that are being experimented with in some of our health service organizations will have finite budgets for the physician per person served and in effect that is a closed system. They do have, unlike the British system I am told, a charge-back if the patient goes elsewhere for service.

That is, I think, a vital freedom of a patient. The patient should have the right to get service elsewhere if they are not satisfied with the treatment of the doctor to whom they have been attached for book-keeping purposes, albeit a choice made by them in many instances. Not always, but in many instances.

I don't want to give you the idea that I am not looking at closed systems. I simply say first we'll evolve into them. Secondly, they are not as fool-proof as they appear to be at first glance. We will be carrying out pretty intensive examinations of the validity of the other than total fee-for-service system over the next two, three, four, five years, whatever time it takes. All the while, more and more doctors are electing, when they enter practice, to go some other route. This is fine. I don't feel that any one system has the corner on the market.

It may well be that the system we evolve in time will bear little resemblance to the one currently in practice. I suspect we have to learn more about what motivates people, what gives good quality of service and at the same time controls costs, than we currently know.

Item 1 agreed to.

**Mr. Chairman:** Item 2, general hospitals and related activities.

**Mr. di Santo:** Mr. Chairman, perhaps it's redundant at this point to speak again about the closing of hospitals, in particular Doctors Hospital, after the superb speech given by the leader of my party this afternoon. He has illustrated the aspects of the decision made by the Minister of Health in closing the hospitals, how irrational it is and how destructive the consequences are for the small communities across Ontario and for a special consideration in Toronto, the immigrant groups which are hurt by the closing of Doctors Hospital.

(But I think that it is my duty to re-emphasize the position already expressed by the leader of my party and by several members in the past week. We are concerned about the closing of hospitals in general and I'm concerned about the closing of Doctors Hospital. I don't think only the member for St. Andrew-St. Patrick (Mr. Grossman) has to be concerned for the closing of Doctors Hospital, because this hospital is not his private preserve. As a representative of a riding with a large ethnic community, at this point I think that I have to express the feelings which have been conveyed to me by many people who live in Downsview, many people who have been served by the Doctors Hospital and who are preoccupied by its closing.

The government restraint in health services is part of a political game, orchestrated by the government with the purpose of creating a psychological climate of uncertainty and fear among the public which will allow the government to emerge as the one able to remedy the present situation.

The fact is that the Conservative government of Ontario is the only one responsible for the colossal mismanagement of the economy and its finances as it has been expressed by the leader of my party this afternoon. This is even more true if we consider that the savings announced by the government with the closing of hospitals are not real as it has been proved by the leader of my party again.

The Minister of Health himself, last Thursday, in reference to the closing of Doctors Hospital, said that: "The cost associated with the closure will minimize total savings." In perspective, this proves now how inaccurate the figure of \$50 million pre-announced by the minister on Dec. 19, 1975, was.

As a result of closing hospitals and reducing their size by up to 3,000 beds, the gov-



ernment will save money, if any, only through laying off 5,000 employees. That shows how much you are concerned about unemployment, Mr. Minister. But this is not a real saving. I think on the contrary the government decision, while aggravating the already serious situation by creating more unemployment, will add a heavier burden on the community in social terms and in human terms.

I think, though, it is hard for the government to conceive different ways and means to fight the present economic crisis. They cannot even conceive, in their stone age approach, the potential of growth of our economy and the possibilities of broadening the potential of our economic system so that more jobs can be created and no one would be sacrificed and penalized. The government, through the reduction of transfer payments to the municipalities, cutbacks of social services and closing of hospitals, is attacking the weakest and the most defenceless groups in our society because they know that from these groups they will get the least resistance. They are concerned with the powerful groups in our province, whether they be the mining companies or the doctors.

The Health Minister knows that the doctors' incomes increased by 124 per cent between 1962 and 1972—the highest in the province. The minister knows that even the subversive Ontario Economic Council recognizes, in his recent report, that the fee for service system is unworkable and represents one of the most uncontrolled cost increasing factors in the health care system.

The minister knows the ripoff by the private labs. The minister knows the incredible amount of money wasted in unnecessary surgery as, again, has been illustrated by the leader of my party this afternoon. The minister knows also that wage costs represent 80 per cent of hospital operating costs, as it has been stated as recently as March 11 in a memorandum of the Hospital Council of Metro Toronto. But he does not touch the doctors. He does not touch the private labs because, as the free enterprise wants, they have to make profit. He does not scrutinize the amount of money involved in unnecessary surgery. He deprives communities of their health services and fires personnel, both medical and non-medical, because this is the easiest way to operate in this free enterprise province.

The closing of Doctors Hospital proves, to an even greater extent, what I am saying. The justification for the closing, as well as the other health cuts, is cost saving and the

criterion is to have a ratio of four beds for 1,000 people. It is legitimate to ask why the Minister of Health closed Doctors Hospital among those to be closed in Toronto, and not other hospitals, like Mount Sinai for instance.

Doctors Hospital is one of the most efficient in Metro Toronto since the occupancy rate is 84 per cent compared with 78 per cent in other Metro hospitals. The length of stay at Doctors Hospital is 7.7 compared to 9.8 days for other hospitals. The cost per patient is \$98 compared to \$205 in 1975.

Since 1969, the province has spent \$1 million in improvements plus \$350,000 in the last three months for a new air-conditioning system. But that is not all. What statistics cannot show is the social value of this unique health care centre and the importance it has for those who mostly use it, namely immigrants. Three-quarters of the general practitioners, one quarter of the specialists, the majority of the nurses and maintenance staff are immigrants. This hospital, with a unique philosophy and concept of treatment and care, has gathered together a multi-cultural staff able to speak all the languages of the patients. Of 225 doctors, 150 speak three or more languages. That does not bother the Conservative government and the Minister of Health, since ethnic groups have never been a priority for them. The government does not care about the fate of the ethnic population of Toronto and their problems once deprived of the unique opportunity to be treated in a health centre such as Doctors Hospital.

[9:30]

The government of Ontario has never cared much about ethnic groups. We know the paternalistic approach you have taken in the past years. We remember Heritage Ontario and the parade of self-styled ethnic leaders, the power brokers you have used in order to exercise your power—leaders with no following as the last Sept. 18 election demonstrated.

The Conservative government and the Minister of Health are not concerned with the fate of the doctors and the staff of Doctors Hospital, the 600 employees. They know that most of them will not find an opportunity to practice in another hospital. They know that 18 interns will lose their year of training. They know that many will be unemployed. But they are an easy prey to be sacrificed.

Doctors Hospital was approaching a model of a community health centre; a model pro-



posed and supported by the New Democratic Party, a model accepted in the past 20 years by the Ministry of Health.

Twelve thousand, four hundred patients have been cared for in hospital emergency and outpatient departments in Doctors Hospital, usually seen principally by interns and only supervised by the general practitioners and specialists. Now the minister is reneging his own policy and aggravating the large immigrant community without offering any alternative.

These are the reasons we are concerned. We are fighting for Doctors Hospital, not because we want votes. We know that the ethnic communities of Ontario will never support your government because you have done nothing for them. Because they know that whenever you cut down with your axe you hurt them, as is proved not only in this episode of Doctors Hospital but as has been proved by the Treasurer of Ontario (Mr. McKeough) when he has reduced transfer payments to municipalities and the boards of education. The very first programme which has been cut by the Toronto Board of Education is English as a second language; and what is more ironic, from now on the children of immigrants and immigrant children cannot have English as a second language as they have been saying in Ontario for more than two years. This means that those children who speak their mother tongue at home will never have an opportunity to learn English, which means you are condemning large groups of people, only for the fact that they are immigrants, to be second class citizens because they won't make real contact with other pupils within the school system.

**Mr. Chairman:** Are you speaking to the principle of the general hospital item?

**Mr. di Santo:** Yes, Mr. Chairman, I was mentioning this aspect of the policy of the Conservative government because it is consistent with what the government is doing in closing Doctors Hospital.

As I said before, we ask you to reconsider the destiny of Doctors Hospital because you are hitting very hard a constituency which seems to be defenceless. But we will fight because we know—and you should know, actually, Mr. Minister—that your decision is perceived by the ethnic groups as discriminatory and, perhaps with some exaggeration, with some racist connotations.

I hope that with the appeal that Doctors Hospital will make to the Premier (Mr. Davis), you will consider the specific nature of this particular group in this city of Toronto and

you will change your decision. As far as we are concerned, we will keep fighting against your decision because it is unjust, because it is irrational and because it is discriminatory.

**Hon. F. S. Miller:** Mr. Chairman, it is quite fair for any member here to attack me on my calculations or my choices. I don't really appreciate an attack based upon the ethnic situation. This is not a question of taking an action because it was an ethnic group. I'm sure you and many people like you who came to Canada were welcomed here.

I'm sure that 52 per cent, I'm told, of the people emigrating to Canada—the thousands we welcomed, the thousands who have enriched our country in many, many ways—still come to Toronto and still find an opportunity in this country which far exceeds that which they left behind. They'll find that this city and this province allows them to do the things they didn't have the right to do at home—to get an education; to have welfare schemes that are far better than they ever knew in their past; to have things like free drugs long before they're qualified for federal pensions—and you know that.

Ontario made this available to people who couldn't qualify for federal pensions. We tried quite sincerely to bring some of these things to people who wouldn't have had the time to live in our country long enough to get federal old age pensions. GAINS is given to these people too.

I feel very badly when a person like you, who is a very important interpreter to this community of what goes on in our government; a person who has won the right to sit here and represent not only Canadians but those people who are new to Canada, feels so badly about the country he has chosen to come to that he attacks us in that way. I find it discouraging because our decision was not, in any sense at all, based upon that.

The whole downtown city of Toronto health care scheme, in one way or another, serves the ethnic community and I believe it serves it very well. It's going to keep on doing that. Hospitals like Toronto General, Mount Sinai, Western, Central, St. Michael's and St. Joseph's, you name them, not only have very high percentages of people who come to Canada from abroad on their staff but offer services to the people who have come to Canada as their patients.

I'm proud of those services. There will be no differentiation by this government on that basis. I'm sorry to see you have to stoop that low.



**Mr. McClellan:** That's a lot of nonsense; downtown Toronto is invisible to you.

**Mr. Lewis:** He didn't say you closed it because it was ethnic.

**Mr. Chairman:** Order, please.

**Mr. Lewis:** For so many years you had John Yaremko tramping around this province playing the ethnic community like some kind of instrument and now you suddenly worry about the whole matter.

**Mr. Grossman:** That was playing it and what we just heard wasn't playing it?

**Mr. Chairman:** The hon. member for Downsview has the floor.

**Mr. Lewis:** Such solicitude.

**Mr. Chairman:** Order, please.

**Mr. di Santo:** Mr. Chairman, what I tried to get across to the minister is the fact that Doctors Hospital is a unique institution in the city which serves almost exclusively ethnic populations. I know the patients will be transferred to other hospitals, but will they find the same kind of services, the same kind of interpreters, the same kind of nurses? Will the doctors be accommodated in other hospitals, because as you know, as of today, there are no vacancies for them? This is the problem.

At the Doctors Hospital, as I said before, most of the doctors are of ethnic origin. I think that's something you should take into account, because when the patients go to Doctors Hospital they find an atmosphere in which they feel comfortable. Of course they will be accommodated in another hospital, but what you miss is the fact that you are destroying something that is now serving a population and with which that population is satisfied.

**Mr. McKessock:** I'm not going to holler and shout at you tonight. I'm not even going to throw any snowballs. I'm happy to represent the Durham hospital, which I'm sure is going to get special consideration when all the facts are out and be kept open. Myself and the Liberal Party certainly agree with saving money in the Health budget, and in the rural areas we are quite willing to take our share of budget cuts, such as 2.3 per cent of the hospital budget across Ontario, to save the projected \$40 million.

I believe in good government and I do not like the way the present government is using the rural community. I decided to try to get

into government so I could have a chance, with advice from my constituents, to make some input on the decision-making in our area. The Minister of Health called me the night before he came to Durham and told me what he was going to do the next day.

**Mr. Riddell:** The usual procedure.

**Mr. McKessock:** To me that's not having a chance. The people in government cannot make such important decisions for us without first consulting with us. I spent three-quarters of an hour talking with the minister in his office on the Tuesday following the Friday announcement of the closing in Durham.

He's kind of a nice fellow, even though he isn't listening to me, and he seems like a reasonable guy. If he had contacted us three months ago and said: "This is what we have in mind for Durham; what complications will it bring to your area?" we could have worked it out better.

The minister told me the day he was in Durham that they tried talking it over with people in some localities but it didn't work. I said to him that in a democratic society you must consult with the people involved whether you think it works or not.

I would like to make it clear to the members of the Legislature the conditions that exist in the Durham hospital situation which clearly point to the injustices being implemented there.

The weather and road conditions in the winter do not allow normal travel between towns. Durham hospital has an 88.7 per cent occupancy. Durham hospital in 1975 supplied 2,439 meals-on-wheels from its kitchen to senior citizens in the town. There are ambulance services attached to the hospital, with volunteer drivers. A doctors' clinic is next door to the hospital. It's on a main highway from Owen Sound and each week doctors from Owen Sound do dental surgery and other surgery in the Durham hospital because no beds are available in Owen Sound. With the close to \$500,000 cut in Owen Sound's budget this past week it is going to be imperative that the Durham hospital remain open.

[9:45]

Durham hospital was new in 1962, with a new addition in 1972. Average length of stay in the hospital is only 7.8 days. The Durham hospital is one of the few accredited hospitals in the area. Durham hospital is in a tourist area and the hospital services many tourists both summer and winter.

Community efforts resulted in contributions of up to \$4,000 a year toward the hospital. Examples are the hospital auxiliary, junior hospital aids and the community fair. In addition estates also leave money to furnish rooms in the community hospital.

The Durham hospital handled 4,662 emergency cases in 1975. We want something better from the Minister of Health than a statement saying they are going to close our hospital and save \$550,000; that is not good enough. We want the facts and figures as to why Durham is closing.

We would like him to try and answer these questions. Are we not efficient? Are we keeping the patients too long? Is the cost per day too high? Marie Cooper, the Durham hospital administrator, has all the figures. She could have helped the minister make this decision.

I thought the Davis government would have learned its lesson last September, but it hasn't changed a bit. There is still no involvement with the people. In a democratic society, they have no right to make decisions for us, behind a desk in Toronto, without first having full consultation and input from the community and area involved.

I am not mentioning just to be critical the fact that the Health Minister has a new \$7 million hospital going up in his riding. Maybe he needs it. That's his area, we will let him decide. Or the fact that the ministry has just set aside 14 acres in Toronto for a new 700-bed hospital. That is in Toronto's area, we will let them decide; just as long as he will let us help decide what we need in Durham.

It is a well known fact that the hospitality and bedside manner you receive in a small community hospital cannot be equalled in any other. Friends and neighbours can drop in and see you, which helps brighten your day and speed your recovery.

After spending some time with the Minister of Health, I am convinced that the Conservative government is not interested in decentralizing large cities, but rather in making them larger. They are not interested in the rural communities growing. The minister said to me: "What makes you think that Durham will grow? There are no highways going up there."

**An hon. member:** They are going into Muskoka.

**Mr. McKessock:** I was glad to hear him admit that the bits of asphalt that pushed their way up into our area are not called highways—but the Minister of Transportation

and Communications (Mr. Snow) calls them really good highways. I said to him that our tourist industry will build up the highways some day, if nothing else. For this reason, we would like at least to hold our own for the time being. But if you keep kicking the props out from under us, we will deteriorate instead of growing.

**Mr. Lewis:** He has just about closed the town down; not much left.

**Mr. McKessock:** There are some alternatives to produce savings; there are a few things that should be changed. If a nursing home patient stays in a hospital it costs them nothing; if they stay in a nursing home it costs them \$6.15 a day. This encourages the patient to try and stay in the hospital. This must be changed.

Leo Kell, a dairy farmer who lives in Melancthon township, has given me the idea that our OHIP cards should be similar to credit cards. They should be put through a machine in the doctor's office before the doctor can receive payment. I think this is a very good idea. Some of the doctors have been caught making bills up when they didn't have the patients. This would put a stop to this and save money.

There are many alternative ways to save money and the Minister of Health does not have to set up a commission to study it. He only has to move into each riding that has had a hospital closing announcement and he can get the answers. I think he is overlooking dollars to pick up pennies in Durham.

I would like just to mention something likely to happen if the hospital closes. Regional government will move in, because local governments will become discouraged. Business will drop in the town. Approximately \$600,000 worth of wages will be taken away in Durham. I was talking to one businessman in Durham who was thinking of expanding. He is now changing his mind and thinks maybe he is too big.

Over 50 per cent of the people in town are senior citizens who are living in nursing homes, senior citizen apartments and private homes. There are plans for a new \$2.5 million home for the aged complex to be built in Durham this year. This ratio of old to young should be considered. How would these people get to a hospital or doctor if the doctors leave, which they eventually will? Now it is quite easy and inexpensive with a town taxi available. Taxes will rise for the people left if the hospital goes and removes 55 people from the town.



If Durham hospital is closed the 4,600 emergency cases that were treated there last year will have to be treated somewhere else. Some of them, no doubt, will not make it to another hospital. There is a great difference between closing a hospital in a rural area compared with a closure in a city where there is another one readily available with good road conditions.

Durham hospital saved the Ministry of Health \$181,983 in the last five years by running their hospital this much below the allotted budget. I would like to know how many other hospitals run at below-budget allotments and by how much.

The hon. minister has suggested that if we could come up with similar savings in the area he would consider leaving the hospital open. Why do we have to come up with alternatives? The Minister of Health has made the alternatives for the other 230 hospitals.

I guess the alternative should be further hospital budget cuts of one half of one per cent right across Ontario, which is very little for each hospital and which would give the same \$10 million saving you are looking for. If everybody accepts then everybody would have to learn to save. The way that it is proposed, if you shut us down we learn nothing, and the hospital beds that aren't cut will continue to run wild with the spendings.

**Hon. F. S. Miller:** Very quickly, I have two or three quick comments. Eighty per cent of the bed cuts in dollars were in cities, not in rural Ontario.

Credit cards are being considered and have been for some time. There are a number of other problems involved.

Three, across-the-board cuts have generally been acknowledged as unfair to those hospitals that have growth situations. There is no use trying to rationalize the system by across-the-board cuts when, in fact, some areas need more because they are growing.

**Mr. Riddell:** Frank, there is a big difference between bed cuts and closing of hospitals.

**Hon. F. S. Miller:** The last thing I would point out concerns your comment on something you and I said in my office. Sure I said those very words. I never have had a habit of denying when I say something to somebody. There are other things I've said and there are other things that people have said to me. I have always felt that when I was talking privately to a member I could count on him not quoting me in the House and vice versa. There are some people in this room I could embarrass profoundly with the things

they said to me privately in my office about their own particular constituency matters. I think that is a matter to keep in mind.

**Mr. McKesock:** Mr. Chairman, I don't feel I said anything that would embarrass the minister.

**Hon. F. S. Miller:** You started questioning the growth of your area and my comments about roads, that kind of thing.

**Mr. Riddell:** You are very sensitive, Frank.

**Hon. F. S. Miller:** Well you are one of the ones who must remember some of the things you have said.

Interjections.

**Hon. F. S. Miller:** I can't answer them.

**Mr. Grande:** Mr. Chairman, I wonder if it is in order that I ask the minister a few questions before I proceed with my remarks?

I understand, Mr. Chairman, that in 1971 a role study for Doctors Hospital was done by the consulting firm of Peat Marwick and that it spelled out the change that the hospital was going to undergo. Can the minister tell me who commissioned that study; and to whom did Peat Marwick present the study? Were you in basic disagreement with the change of Doctors Hospital and who was the author of that study? If I may have the answers to those questions, Mr. Chairman, then I will proceed, if it is in order.

**Hon. F. S. Miller:** I can't answer them.

**Mr. Grande:** Yes, there was a study in 1971, but I will come to that later.

Mr. Chairman, I want to protest as strongly as I possibly can the closing of Doctors Hospital. I know, and 80,000 people in Metropolitan Toronto know, that the Minister of Health is wrong on this issue. I refuse to get involved in the game of name-calling, even though such names as "The Executioner" and "The Angel of Death" perhaps suit the minister well.

**Hon. F. S. Miller:** What did you just do? What did you just do?

**Mr. Grande:** I have no snowballs hidden in my desk and I have no solidified hydrogen sulphide to throw in your direction. I only have some facts and some evidence, which I hope will prove to the minister that closing Doctors Hospital is not only sheer folly but complete madness.

The decision was not arrived at after careful planning but out of political expediency. Efficiency was not the criterion used to arrive



at the decision to close the Doctors Hospital. The minister admitted that the other day, on Wednesday. He said, "Of course the Doctors Hospital is an efficient institution."

Before I focus on the Doctors Hospital, let me assure the Minister of Health, the member for St. Andrew-St. Patrick, and the Liberal Party, that I and my party are not interested in playing the political game of making a case as to why a particular hospital should be closed or should remain open and agree with the closings of all the rest.

The New Democratic Party has taken a stand, as enunciated by my leader today, against all the closings of the community hospitals and the public laboratories. We know that the closings in Paris, Virgil, Kemptville, Bobcaygeon, Durham, Copper Cliff, Clinton and Toronto, are wrong. The people in those communities have paid dearly for those services, and now they are told that those services must be cut off.

The Minister of Health on March 10, in response to one of the questions from behind his back, said he had two reasons that determined the closing of Doctors Hospital. You said—and I quote:

Its size; it happened to be lower than the total number of beds we required. Somewhere in the order of 400 within the city had to be closed: it had 319.

Aside from the fact that those particular remarks were off the cuff, I understand the incoherency. The second reason was:

The fact that it [the Doctors Hospital] had made proposals to me . . . saying it needed to be rebuilt at a cost of \$15 million.

The minister avoids mentioning that Doctors Hospital was closed down because of inefficiency. He knows that he cannot win that argument.

**Mr. Grossman:** That was a good question that day.

**Mr. Grande:** Let me give you some facts on the efficiency of Doctors Hospital—and this is not information that only I have; I think everybody has this information. For the year ended Dec. 31, 1974, the cost per patient-day at the Doctors Hospital was \$86. At an average similar hospital, doing the same type of work, the cost was \$92, and at Mount Sinai the cost was \$165. I am not making these comparisons, Mr. Chairman, to indicate that Mount Sinai ought to close leaving Doctors Hospital open. I hope that I have made that point clear at the beginning.

[10:00]

The cost-per-patient at Doctors Hospital was \$664. At an average similar hospital it was \$760, and at Mount Sinai, \$1,619. The

average length of stay at Doctors was 7.7 days, at an average similar hospital, 8.4 days, and at Mount Sinai, 9.8 days. The proven costs, therefore, for the whole year's operation at Doctors Hospital would be \$8,406,240, at an average similar hospital, \$9,621,000, and at Mount Sinai, \$20,496,540.

As of June, 1975, the Ontario Hospital Association has some very interesting figures, which say that the cost per patient-day at Mount Sinai is \$171.57, while at the Doctors it was \$102.30, and the cost per patient at Mount Sinai was \$1,697.25 and at Doctors it was \$780.17. Doctors Hospital in 1975, consistently came under budget. As a matter of fact, the figure, in 1975, they say is approximately \$160,000.

These facts prove beyond any doubt that Doctors Hospital is the most efficient institution when compared with any other hospital of its size doing a similar type of work. The Doctors, if allowed to continue its operation, would save the province money immediately and will continue to save the province money in the future.

Another very important factor which the Health Minister has not taken into account, is the fact that Doctors Hospital serves as a major community health resource centre. The staff of that hospital speaks at least 34 different languages, and that can respond to the needs of the patients who go to that hospital.

Provincial hospitals do not have it in their budget and do not provide salaries for medical translators, so all hospitals depend on regular staff to act on call as interpreters. At Doctors, with a high ratio of new Canadians among the professional and technical staff, the immigrant patient can be made to feel more secure about what is going to happen to him. The patient will be able to understand the difference between a benign tumor and a cancer, between corrective surgery and the amputation of a limb. The bilingual staff can go over the details of proposed treatment in the patient's native language, so that the patient really receives the best possible care available.

Now, a note here about the multicultural atmosphere in Doctors Hospital. I have been one who has been very active within the educational system to try to make those institutions represent the needs of a particular community in which that institution lies. That, to me, is going toward the development of the multicultural society, whether the people on the other side of this House believe in the multicultural society or not. I suspect that all they are doing is paying lip service to it like their federal counterparts in Ottawa.



Mr. Chairman, no one can really understand why the Minister of Health has decided to descend upon the Doctors Hospital and single out that institution in all of Metro, and I hope that the minister is going to be giving us the details which allowed him to make that decision.

One particular day in this House he said: "Don't worry, there are not going to be any cutbacks, any changes in the monster hospitals." To stay for a few more minutes on the fact that the Doctors Hospital represented, truly, the multicultural society that we have in the city of Toronto, what happens when a patient does not understand what his doctor or his nurse do or say to him? The shouting match begins. This shouting technique is tried, and the rationale behind it is that if you scream a little louder somehow the immigrant will understand you, if he happens to be speaking a little English or no English. When this does not work, untrained nursing aides and clerical workers are called in and they often—not because they want to—do not translate exactly what the doctor or the nurse said. The reason for that is because they do not have the technical vocabulary, not only in the English language but in their own language, with which to make that translation effective.

Mr. Chairman, who suffers in all of this? It's got to be no one else but the patients, because the patients do not get the proper care that they require and that they expect from an institution.

One very important point that the ministry has not taken up—as a matter of fact, I really don't think that the minister or the ministry understands it—is that hospitals are sources of primary medical care. My colleague from Parkdale (Mr. Duksza) has talked about this particular point. He has talked about it incessantly. He has been speaking about it for years. The Doctors Hospital is typical of a community hospital in that it sees as many patients on an outpatient basis as it does inpatients; thus the hospital's doctors, through the clinics, act very much as the source of primary medical care to people in the neighbourhood. In closing Doctors Hospital the ministry is cutting people in their neighbourhood off from the major source of their primary medical care. Who suffers, Mr. Chairman? The patients.

Another point which I would like to make, and it needs to be made, is that if and when Doctors Hospital is boarded up, where are the 210 doctors of the hospital going to have privileges? The minister is trying to assure us: "Don't worry, the doctors will get privileges in other hospitals. The nurses will also get

positions in other hospitals." What is going to happen, I suspect, is that the doctors will continue to take care of their patients when they are not seriously ill. They will continue to see them in their clinics, but when these patients require hospitalization then what has to happen is that the doctor has to turn over the particular patient to a complete stranger, to a doctor with whom the patient has no relationship whatsoever. The closing of Doctors Hospital will mean sending a largely ethnic population into hospital care at unfamiliar institutions because many of the people—and the leader of my party mentioned this today—in the particular area where the Doctors Hospital is situated do not know these great big monsters. They are not sent to these great big monsters by their doctors. Once again, the people who suffer are the patients who need the care.

The minister would have us believe that if Doctors Hospital had 500 beds instead of 319, all of them would be filled. We know that this would probably be true. The doctors are interested in bringing patients into hospital and performing operations. The more operations they perform, the more money they earn. The more patients they have in the hospital, the more visits they can make to these patients in one day and thus bill OHIP for a lot more.

Does the minister realize that this attempt to curb the greed of the medical profession and his attempts to change the patterns or establish patterns in attitudes of doctors are hurting the patient? The patient will not be able to get into some of these other institutions which he claims can fill the vacuum.

The patients will not be able to get into these other institutions, at least not the patients who require medical work to be done. It is the patient who has to wait not two or three weeks only in order to get into hospital but he has to wait a period of one or two months perhaps. Why is it that in all this futile exercise the minister has been indulging himself while the patients must suffer?

There is another group of people which is hurting and suffering as a result of the minister's futile exercise. I am referring to the hospital workers and the nurses. The minister somehow shows no concern whatsoever for those particular workers. All he is concerned with is to be seen out there in the public as making tough decisions. All he is concerned with is that his health budget increase is maintained at 10 per cent or 11 per cent. If people are hurt in the process—well, that's rough justice.

The minister is not concerned about the 554 employees of Doctors Hospital, especially at this particular time when we have 6.1 per cent unemployment in the Province of Ontario. All he is doing is throwing more people on the unemployment rolls.

Of course, if they cannot find jobs, and the likelihood is that they will not be finding jobs, these people will be going on unemployment insurance, thereby getting money from the federal coffers. The province doesn't have to worry about that.

He is not concerned that these people will not be able to find work in other hospitals; he is not concerned that these people will not be able to find work—period—in any other place. He is not concerned about the fact that as the Ontario Hospital Association shows, hospital jobs in Ontario are hard to come by these days.

I would like to return briefly to two reasons for closing Doctors Hospital. The very first reason is that the minister said, "I looked around in the city of Toronto and Metro Toronto, I needed to close over 300 beds and there it is." Doctors Hospital is a ready-made place for the minister to close.

He had no other concern whatsoever. He made no other concessions whatsoever. All he was interested in doing was closing the beds. And all the other factors that he should have considered—I believe he did not.

[10:15]

Really, that particular reason I call political expediency. He says, "There is a hospital. It has more than the number of beds I require to close. All right, let's close it." The Premier (Mr. Davis) said of the Leader of the Opposition (Mr. Lewis) and the leader of the third party (Mr. S. Smith) that they were zooming in like vultures and if they were ready to call an election on this issue, to go right ahead. Well, I suspect it was the Minister of Health (Mr. F. S. Miller) who zoomed in like a vulture on the Doctors Hospital and decided that it must close.

The second reason that the Doctors Hospital got the axe, the minister said, was because this particular institution was going to be rebuilt in the next two years, with extensive work going to be done. He thereby gave the public the idea that somehow this particular hospital was a shambles: The ceilings were ready to crack; the patients were not safe in that hospital. Mr. Chairman, that is not the case, because I understand and I have been given assurances—and the Toronto Star published a little article last Saturday, which was headed, "Hospital is too good to

die, doctors claim," and they suggest that the Doctors Hospital can continue in its present condition for at least another 10 to 15 years.

I want to talk a little bit about this second point, because I did a little digging and I got hold of a couple of letters which showed exactly why the Doctors Hospital was going to be changing from the present structure into a community health service.

I asked the minister, at the beginning of my comments, whether he had any information about the role study that was done in 1971. The minister replied in the negative. I understand that Peat, Marwick, the consulting firm, was commissioned in 1971—I don't know exactly, and I wanted to find out from the minister, whether it was the minister who commissioned this consulting firm or whether it was the Doctors Hospital that commissioned this firm to do this particular role study related to the changeover. As I said, it was back in 1971. The person responsible, the author of this particular book, was none other than the present Deputy Minister of Health, Mr. Backley.

Mr. Lewis: I wish I had known that. Backley wrote the report?

Mr. Grande: Right.

Mr. Lewis: Boy, oh, boy, are you surrounded by crackerjacks. I understand he is an able fellow. He certainly changes his mind.

Mr. Grande: Mr. Chairman, when the present deputy minister wrote that report in 1971 he was not then with the ministry, and I don't want to suggest that there is any kind of bad faith in all this process.

Hon. F. S. Miller: Go ahead and do it anyway.

Mr. Grande: No, I really don't. I have no inclination whatsoever to do that. All I am pointing out is the fact that he did write that particular role study. He was the author of that changeover. I have two letters which I want to put on the record, Mr. Chairman. One is a letter written by the Minister of Health to none other than the Hon. Allan Grossman, Provincial Secretary for Resources Development, on Dec. 20, 1974. This is what the letter states:

Dear Allan:

Re: Doctors Hospital, Toronto.

The Ministry of Health is prepared in the near future to authorize Doctors Hospital to proceed to plan a new 200-bed hospital



on the present site, designed with a strong emphasis on the ambulatory and outpatient care.

**Mr. Lewis:** That's what I was talking about this afternoon.

**Mr. Grande:** It goes on:

However, at this time it is not possible to offer a firm construction date. I understand the role study for Doctors Hospital, carried out in 1971 by Peat, Marwick, could, with minor updating in light of the reduced number of beds we now contemplate and demographic changes, be used for the hospital as a basis for future planning.

I would suggest, therefore, on the clear understanding there would be no determination as to the year in which we might look forward to the construction of the new facility, but early in 1975 Doctors Hospital approached the minister to request permission to proceed with planning.

Yours sincerely, Frank S. Miller.

Again, on Aug. 11, 1975, the Hon. Allan Grossman, wrote to Mr. Frank Herbert, president, board of directors, Doctors Hospital. It says:

Dear Mr. Herbert:

I was delighted in discussion with the Honourable Frank Miller, Minister of Health, to be advised that approval has been given for Doctors Hospital to proceed to develop a master plan.

**Mr. Lewis:** I don't believe it.

**Hon. F. S. Miller:** I never denied it.

**Mr. Lewis:** Aug. 1, 1975, and you closed it down in February, 1976. The whole ministry is involved with that whole thing.

**Mr. Chairman:** Order, please. The hon. member for Oakwood will continue.

**Mr. Mackenzie:** That's private enterprise efficiency.

**Mr. Grande:** It continues:

Subsequent to our discussion I was provided with a copy of a letter from William Bain, Director, Institutional Planning Branch, Ministry of Health, to Stan Johnston which outlines in some detail steps to be taken.

I particularly noted in Mr. Bain's letter, that while you are requested to reduce by 50 the number of active treatment beds, it is appreciated that it may not be feasible

until such time as the self-care unit and day surgery unit are in full operation. This, of course, has been a matter which I have brought to Mr. Miller's attention some time ago.

I join with you, the board of governors and your administrator, in the anticipation of the fulfilment of a long-awaited dream, the development of Doctors Hospital as outlined in the master programme prepared by Kates, Peat, Marwick in 1971.

With kind regards, Allan Grossman, Minister.

**Mr. Lewis:** Boy oh boy, no wonder he retired.

**Mr. Grande:** Mr. Chairman, again I am not going to suggest that all of these—the role study done by the now deputy minister, the encouragement which Doctors Hospital received from the Hon. Allan Grossman in the years 1973, 1974 and proceeded into 1975—were any reason whatsoever in the decision to close down Doctors Hospital. All I am saying is that certainly this encouragement that the Doctors Hospital received from this particular ministry at this particular time emerges as one of the major reasons why Doctors Hospital is being closed. It seems to me ironical, to say the least, all the encouragement that it received. As a matter of fact, I know that the Doctors Hospital had proceeded in December of last year, knowing full well that this changeover was going to take place, to go down into the United States and hire an administrator, and as a matter of fact, as of January, 1976, the administrator took office at Doctors Hospital.

I am not going to make any interpretation of all these things. I want to leave them here and all I want to say, Mr. Chairman, is that if Doctors Hospital is going to be closing it certainly must be interpreted that the Ministry of Health has encouraged it to move in that direction of doom. I think that the ministry and the ministers who were responsible for this kind of development ought to take responsibility for that.

So to summarize, the Doctors Hospital will remain one of the most efficient institutions, at least in Metro Toronto, if not in the whole province. The Doctors Hospital reflected the multicultural needs of that particular community. Therefore, if the ministry, or if the government, thinks that this particular factor is important, and is not simply paying lip-service through the Ministry of Culture and Recreation and through the umpteen different kinds of reports that they write on this particular issue, then I think that they'd better

look twice before they dismantle what happens, at present, to be a multicultural institution at its best.

If the minister would please try to get that information, I would like to get a copy of that 1971 role study, and there are also a few more questions which I really would love to know the answers to, if the ministry has any answers to them:

One, if and when the hospital closes, where will the patients go? Two, how many interpreters are there in St. Joseph's and in Western and Toronto General? Three, what is the minister doing about the interns of Doctors Hospital? Is he intending to make sure that they don't lose their year? Four, what is the ministry going to be doing about the doctors at the Doctors Hospital and about the nurses? And the last one is: Where will the 1,800 babies be delivered?

Thank you, Mr. Chairman.

**Mr. Nixon:** Mr. Chairman, there are only about three minutes remaining, and I would like to put it to the minister, having to do with the situation in Paris at the Willett Hospital, that he has had the position from our chairman of the board, the mayor and others, put very strongly and clearly. From my point of view I want simply to say to him in this forum that I do believe it would be a serious mistake if, in fact, that facility were boarded up.

Now, his instructions are that the Willett Hospital will be closed as of April 1 or as soon after as possible. The minister knows that there are proper and clear alternatives to that, that fit into the constraints that he is applying as far as the reduction of costs are concerned. I sat with the minister in a meeting of, I believe, the Brantford General Hospital board in which it was clearly pointed out to him the need for chronic facilities in the Brantford-Brant community.

In the question period a couple of days ago the minister said the Willett Hospital board does not want the hospital continued as a chronic facility. He is correct in that statement. Because they, very properly, believe that if the Willett becomes only a chronic hospital in fact, we have no hospital at all.

I would suggest to the minister, however, that if this is the only alternative available then obviously we want the facility kept functioning. And I would urge as well that at least some out-patient facilities continue to be associated with the hospital.

The minister knows the arguments, of course, about the fact that the hospital was

built originally with local funds. He knows the argument that all of the expansions and extensions in that hospital and those nearby were approved and certified by his predecessors. He is surely aware that the taxpayers in Paris are still paying off a debenture for the last expansion of the Willett Hospital. I believe it amounts to over \$40,000.

I simply put it to him, with all of the strength that I can command, that to close up the facility and board it up so that it is of no further function to the community would be a serious and irreparable mistake. It's not a question of heart. I suggest it is a question of clear and simple judgement.

The minister is going to be making a final decision in this connection in the very near future, perhaps in the next few hours. I would simply put to him, in the strongest opinion I can express, a call for a continuation of the Willett facility, if necessary just as a chronic facility, hopefully with out-patient responsibilities as well. I hope he is going to be able to say to the chairman of the board, and the mayor, and the other representatives of the community, that he is giving that some further consideration.

I wish there were an opportunity, and perhaps there will be when we return to this item sometime later in the week, to continue the discussion. With that in mind, Mr. Chairman, with your permission, I move the adjournment of this debate.

Hon. F. S. Miller moved that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. F. S. Miller:** Mr. Speaker, before moving the adjournment of the House I would like to act in the place of the House leader and point out that tomorrow afternoon the debate on the Speech from the Throne will be carried on by the leader of the Liberal Party (Mr. S. Smith). Following that, the supplementary estimates for the Health Ministry will continue in committee of supply.

Hon. F. S. Miller moved the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 p.m.



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Ontario. Legislative Assembly

# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Tuesday, March 16, 1976

Afternoon Session

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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TUESDAY, MARCH 16, 1976

The House met at 2 p.m.

Prayers.

**Mr. Maeck:** Mr. Speaker, may I take this occasion to introduce to the House 32 public school students—

**Mr. Speaker:** Order, please. The practice of introducing groups from schools and so on has been changed, I would just point out to the hon. member in all fairness. Thank you.

KATHY KREINER

**Hon. Mr. Davis:** With the consent of the House I would like to introduce a very distinguished young guest to the House today, Mr. Speaker—a young lady from Timmins, Ont., who brought great distinction to her community and to the province when she won a gold medal for Canada at the Olympics in Innsbruck. I'm sure all of the members here would like to join me in extending our congratulations to Kathy Kreiner, not only for what she accomplished but also our best wishes for her continued success in that rather arduous sport of skiing.

Kathy is on her way back from Aspen where she's competing in the World Cup and on her way to Mont Ste. Anne this Thursday, I believe. I think the members of this House would like to join me in wishing her well in those events. Kathy is situate in your gallery, Mr. Speaker, along with her mother and father, two brothers, one sister and there are two members of the family who couldn't join them here today, but they're all present who could be here and we're just delighted to have them and pay this tribute to her.

**Mr. Ferrier:** Mr. Speaker, I would like to join with the Premier in welcoming Kathy Kreiner and her family here, and to say how tremendously proud we all are in Timmins and, indeed, in the Province of Ontario and in Canada for this wonderful achievement that Kathy has made in winning the gold medal in the giant slalom at the Olympics in Innsbruck. We are extremely proud of her dedication and her discipline to skiing and for this wonderful victory, and we hope that she will go on to win many more victories and bring great

honour to us in Canada and in the Province of Ontario.

**Mr. Speaker:** Statements by the ministry.

**Mr. Sargent:** Mr. Speaker, on a point of privilege.

**Mr. Speaker:** The hon. member on a point of privilege.

## POINT OF PRIVILEGE

**Mr. Sargent:** Mr. Speaker, in the weekend press in Toronto, among other things there are two items I think should be corrected. The writer states that "Sargent detests Davis and Davis detests Sargent."

**Mr. Nixon:** Which one is correct and which one is wrong?

Interjections.

**Mr. Reid:** Fifty per cent isn't bad.

**Mr. Sargent:** I don't think anyone detests the Premier of the province, but I do detest his policies to make hospitals the guinea pig for provincial spending.

**Mr. Speaker:** Order, please.

**Mr. Sargent:** Secondly, Mr. Speaker, the writer states I, Sargent, approached the Premier in the hall and offered to resign my seat for a new \$10 million hospital. It's not a fact. The member for Parkdale (Mr. Duksza) challenged the Premier to give me a hospital in return for my resignation. Now that he's closing our hospital on April 1, the offer still stands.

**Hon. Mr. Davis:** Mr. Speaker, in reply to that point of privilege, I don't always read the weekend press that thoroughly but I did read parts of that interesting article about the hon. member. I'm delighted to hear him today that he didn't say to the reporter that he detests the Premier of this province. I can only say to the hon. member that, really, he has not evoked that sort of passion within me, either in terms of my likes or dislikes. In that I had never talked to that particular reporter, I really don't know how he could assume

whether I liked the hon. member or disliked the hon. member.

I want to make that abundantly clear that I had nothing to do with the contents of that article. I would also make it clear, so the reporter will know, the hon. member did not approach me in the hall to offer his resignation of his seat. If he had done so, the temptation might have been very great. But to keep the record quite straight, the hon. member is right. He never did any such thing.

**Mr. Speaker:** Oral questions.

### MENTAL RETARDATION CENTRES

**Mr. Lewis:** Mr. Speaker, a question of the Minister of Community and Social Services: Can the minister indicate to the House exactly how much money is budgeted in the fiscal year, 1976-1977 for the mental retardation resource centre at Goderich and the centre at Northeastern—or, to put it a different way, can the minister indicate whether the figures which came from his ministry are in fact reliable?

**Hon. Mr. Taylor:** In reverse order, the figures that come from my ministry usually are reliable. However, in terms of the 1976-1977 budget commitment, I would assume that when those estimates are ready, then those figures will be there. Until then, I can't at the moment say what the amount will be.

**Mr. Lewis:** But I take it, by way of supplementary, that the minister is therefore not in a position to deny the figures from his ministry which have so far been tabled?

**Hon. Mr. Taylor:** I may be in a position to refute the member's figures if he is inviting me to do that, but I may say that I haven't undertaken that as yet.

**Mr. Ferrier:** Supplementary, Mr. Speaker: I wonder if the minister can inform us as to whether the budget for 1976-1977 for the Northeastern Mental Health Centre will be sufficient to allow that centre to operate at full capacity for that year?

**Hon. Mr. Taylor:** Of course, the hon. member makes mention of operating a centre at full capacity. I would like to inform the member that that centre is a resource centre, which is not a schedule I or schedule II facility. It's not a question of residential care. Of course, there will be some there. It's a centre which will provide diagnostic and other services and outreach programmes for the community. Insofar as those programmes are involved, they will take place in accordance

with the wishes of the district working groups. I have sat down with the district working groups in the Timmins area and that programme, of course, will unfold. It's a different type of programme which involves, I may say, diagnostic services as well as other assessment services. But it's a different type of facility than a straight residential care facility. So that one really can't talk in terms of capacity if one is trying to compare this centre with a psychiatric hospital because, of course, they are altogether two different types of facilities.

**Mr. Speaker:** A final supplementary.

**Mr. S. Smith:** Could the minister advise us, given the fact that the mental retardation district working group in the Goderich area has rejected his plans for an MR facility in Goderich, and these groups are supposedly consulted and involved in the planning, is he prepared to make a statement concerning the role of these groups and the role of the OAMR? Has there been any change in his ministry's policy toward the MR working group?

[2:15]

**Hon. Mr. Taylor:** None whatsoever. As a matter of fact, I sat down on two separate occasions with the district working group in Goderich. The initial suggestion to the district working group was that a resource centre would be established there. My ministry thought that it could take advantage of the existing physical plant to develop a resource centre. The district working group thought that in the light of the other facilities available in the area that that would not be the best idea. Accordingly, I met with them and told them that we would not establish a resource centre, therefore, at Goderich.

However, I subsequently met with them and outlined a proposal I had formulated in internal meetings with my ministry staff on the concerns expressed by me and others that it was necessary to take the pressure off some of our schedule I facilities.

As you know, we have great numbers of residents in such places as Orillia and Smiths Falls. We're anxious to draw down, if at all possible, the numbers in those institutions; to provide them with better accommodation and to transfer residents closer to their families. For that reason we thought that we could utilize the existing plant in Goderich for a schedule I facility.

I outlined that to the district working groups and my perception of that meeting was very good in that they understood fully what we were trying to do and expressed



agreement in terms of the fact that we would be assisting persons who were presently in institutional care and that we would be bettering their lot. It wasn't a question of deviating from our philosophy, of course, of de-institutionalization and normalization. I had a very good feeling from the district working group and we have not changed our philosophy in terms of those groups.

## MORTGAGE INTEREST SUBSIDIES

**Mr. Lewis:** Could I ask the Premier a question? With mortgage interest rates on the rise—the pressure is pushing them now beyond 12 per cent—is the Premier prepared to reconsider the undertaking made just prior to the end of the last election campaign—which has since been discarded—to subsidize somehow or provide some kind of tax credit for the interest rate situation?

**Hon. Mr. Davis:** As I recall the situation in the latter part of August or early part of September, we were quite concerned about the construction industry and the impact that mortgage interest rates would have on the industry. It was, as I recall the statement, basically to stimulate the industry further at that time. I think it is fair to say that we are still concerned about the industry although when one looks at the figures and the numbers of starts it appears to be in much better shape than it was just a few months ago.

I make no bones about it. I can't see how the decision to increase the prime rate, with the effect it will have on mortgage rates, can be described as being anything but inflationary. I become a little bit discouraged on occasion with the decisions of the federal government which appears to be attempting to deal with inflation through some aspects of its policy and yet obviously encourages this sort of situation to take place.

In fairness, also, it has introduced a programme as far as new home buyers are concerned which does offset a portion of the mortgage interest problem. I have always felt that this is an area which government should consider but I would be less than honest with the Leader of the Opposition if I gave any encouragement because I think any programme of this kind would really have to encompass more than first home buyers or new homes. We get into the question of refinancing mortgages—second and even third mortgages in some instances.

I think that while the idea still has some attraction—I don't minimize it—with the con-

straints and the priorities we have established it would be misleading to the Leader of the Opposition to suggest that this might be reactivated at this present time. This does not alter my own point of view as to the decision to have the interest rates go up. I think it's inflationary. I'm no economist but I don't know how it can be construed in any other sense.

**Mr. Bullbrook:** It's too bad you signed the agreement with them. Why do you like signing agreements with them all the time if you don't agree with their policy? You're right. Their policy is wrong. Why do you sign agreements with them? You go to bed with them all the time.

**Mr. Yakabuski:** Don't blame us.

**Mr. Bullbrook:** Blame you? You are the ones who signed the agreement.

**Mr. Speaker:** Order, please. The hon. Leader of the Opposition has the floor.

**Mr. Lewis:** By way of a supplementary, if I may: Since the policy initially was the Premier's, based on the need to fill the gap which the federal Liberals would not fill, and the Premier has conceded now that it isn't closed.

Can I ask the Premier what one does in Ontario generally, or in the Metro Toronto market, for example, where the average price transaction in February was \$61,215, which requires carrying costs of something like \$630 a month after down payment and means that only 8.2 per cent of the families in this part of the province can afford such a house purchase? What does the government do on behalf of the other 91.8 per cent of the families who would wish to make such a purchase? Doesn't the Premier think it demands intervention or protection of some kind?

**Hon. Mr. Davis:** Mr. Speaker, I would say with respect that I don't think a mortgage interest subsidy of, say, one or 1½ per cent would resolve—

**Mr. Lewis:** It's up.

**Hon. Mr. Davis:** Well, it was a differential between say, 10¼ per cent and 12¼ per cent.

**Mr. Lewis:** That's two per cent now.

**Hon. Mr. Davis:** Well, it could be two per cent, and that could fluctuate within the next six months or in the next six days. Who knows?

**Mr. Deans:** We thought maybe you meant it.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I would say with respect, Mr. Speaker, that that form of tax credit, where there was a suggested limit, would not alter the question that the hon. Leader of the Opposition raises. I question whether it would have any significant effect.

**Mr. Singer:** Why did you bring it up in the first place?

**Hon. Mr. Davis:** If the hon. member wants to ask a supplementary, I would be delighted to answer it when he gets on his feet and asks the question. I am trying to explain to the Leader of the Opposition that I don't think that particular programme would alter the figures that exist here in Metropolitan Toronto.

I would say, again with respect, that I think there has been, to some degree at least, a stabilization in the house market. And while one looks at Metropolitan Toronto—and I don't minimize the extent of the market here in Toronto—

**Mr. Lewis:** It's gone up 30 per cent in one year.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** It's gone up 30 per cent in one year in Metro.

**Hon. Mr. Davis:** Well, sure, and it has gone up in Vancouver and in a number of other communities. It is also possible to buy houses at much lower prices than that not too far distant from Metropolitan Toronto.

**Mr. Cassidy:** Not true.

**Hon. Mr. Davis:** I happen to know of a few. And while I can't say that is a solution in itself, I think the Minister of Housing (Mr. Rhodes) has undertaken a number of programmes, basically the OHAP programme, that are beginning to have some results.

We all know what is also part of the answer, and that is to have more registered lots available to increase the competition within the marketplace. The hon. Leader of the Opposition can ask, "Why don't you do more about that?" I can only say we are making a very genuine attempt and, I think, having some degree of success.

**Mr. Singer:** Sure, Ottawa—

**Hon. Mr. Davis:** And before the member for Wilson Heights interjects, that great party that is so much in support of autonomy for the local municipalities should know that one of the inhibiting factors in the registration of plans of subdivision has been the attitude of a number of municipalities in and around Metropolitan Toronto.

**Mr. Singer:** Who drafts the legislation?

**Hon. Mr. Davis:** And while members of that party would say to us use the heavy hand and force the municipalities—

**Mr. Singer:** You write the legislation.

**Hon. Mr. Davis:** —for heaven's sake, at least once in their life they should be consistent in the approach they are taking.

**Mr. Singer:** You write the legislation.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** What's more, you know it is true.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** Are you ready?

**Hon. Mr. McKeough:** We are ready.

**Mr. Lewis:** So are we. That makes two of us.

**Mr. Peterson:** Supplementary: If the Premier is now standing here telling this House that his programme for subsidization of interest rates won't work, why did he bring it up in the first place and why did he lay it on the people of this province as an election promise?

**Mr. Lewis:** Well, it was 10 days before the 18th.

**Hon. Mr. Davis:** I am not standing up in this House and saying that an interest subsidy programme would not be without some benefit.

**Mr. S. Smith:** Without substantial benefit.

**Hon. Mr. Davis:** I am saying to the hon. member for London Centre, who is the self-acknowledged economic expert on that side of the House, that he should know the facts of life. He should even know them in and around London, where he is reasonably familiar with the development industry. The fact remains—and it is simply this—that the cost of housing in the London area does not relate to whether or not there is a mortgage interest subsidy.



**Mr. S. Smith:** Why did you offer it?

**Hon. Mr. Davis:** Mr. Speaker, we offered it very simply to give stimulus to the industry.

**Mr. S. Smith:** To win the election.

**Mr. Bullbrook:** We know what you were trying to stimulate.

**Mr. Singer:** You were trying to stimulate votes.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I have to give the federal government some degree of credit, because they have undertaken a partial programme with respect to interest subsidy.

**Mr. Speaker:** Further questions.

Interjections.

**Mr. Speaker:** No, I think we have spent enough time on this one. There can be further questions later.

**Mr. Good:** It didn't do a good job. You still lost 22 seats.

## PRIVATE LABORATORIES

**Mr. Lewis:** Mr. Attorney, as my colleague affectionately calls him, I take it that the Attorney General has the police investigation reports of Abko labs in his possession. Without revealing matters which relate to charges, because I know that's a separate fact, can we indicate to the Legislature whether there is any request in that report for a public inquiry, and whether there are any comments on the other private laboratory networks?

**Hon. Mr. McMurtry:** Mr. Speaker, I have met with my senior law officer who has been directing the investigation and the senior officer in charge of the investigation as recently as this morning. First of all, I should indicate that the investigation has not been completed. I would think that any decision in relation to the laying of criminal charges will be made most probably within the next week.

Insofar as reports that have been made in relation to the investigation are concerned, I simply do not recall all the contents of those reports. In any event, I would think it would be premature and improper of me to make any further comments at this time in relation to this investigation because criminal charges may well be laid.

But I honestly don't know the answer to that question at this moment. It's a very involved investigation and I'd be quite prepared to talk to the hon. Leader of the Opposition privately in relation to some of the details and the problems related to the investigation, but I'm very reluctant or very cautious about saying anything that may in any way prejudice a fair trial or impede the completion of the investigation.

**Mr. Lewis:** Supplementary: much as I'd like to chat with the Attorney General in a public forum, let me ask him by way of supplementary again: Leaving aside the charges, leaving aside the police investigation, do the reports which he has received and have his discussions with the law officers of the Crown led to either a specific request in the report for a public inquiry or comments on the need for an inquiry?

**Hon. Mr. McMurtry:** To the best of my knowledge they do not in either of those two cases. Again I don't have the report with me. I've read them fairly recently; I do not recall any specific or general suggestion in relation to a recommendation as to a public inquiry.

**Mr. Singer:** Further to the minister's answer to the Leader of the Opposition, wouldn't the Attorney General believe that in view of the grave concern and the great number of people involved and the great number of dollars involved, that the public interest would be best served by the ordering of a public inquiry conducted in the appropriate manner?

**Hon. Mr. McMurtry:** At this stage I'm certainly not of the view that the public interest would be best served by a public inquiry.

## ANAESTHETIC SYSTEM INSTALLATION

**Mr. S. Smith:** Mr. Speaker, a question of the Minister of Consumer and Commercial Relations: Can the minister explain why and upon whose advice the decision was made to include regulations with regard to the installation and maintenance of anaesthetic systems in hospitals under the Ontario Building Code, which is as you know enforced by local municipalities, rather than under the Public Hospitals Act, which would be under the Ministry of Health and which would be much better able to enforce something as difficult and as complex as that particular aspect of the code?

**Hon. Mr. Handleman:** Mr. Speaker, I must say that I'm not aware of the fact that no

consultation took place with the Ministry of Health. I'm prepared to look into the circumstances under which the particular regulations were put in. But there was two years of consultation before those regulations were proclaimed and as far as I know that consultation took place with every interested party in the province.

**Mr. S. Smith:** In view of tragic occurrences in the Sudbury hospital, where I believe 23 deaths occurred as the result of the wrong installation of anaesthetic equipment, and in view of the fact that such deaths have also occurred elsewhere in North America rather frequently, is the minister convinced the regulations, especially some of the smaller municipalities for which this probably would be impossible, and would he be prepared to tell the House of the results of his inquiries into the matter and perhaps to consider changing this to something that has provincial regulation?

[2:30]

**Hon. Mr. Handleman:** First of all, the Ontario Building Code is a provincial regulation and we have entrusted the municipal building inspectors to enforce it. We are quite aware there are limitations on their capabilities and we have had some inquiries, particularly from smaller municipalities, as the hon. member suggests, and we are prepared to undertake a training programme or to work with them to ensure that their qualifications are raised. We recognize the difficulties in administering a code of such technical difficulty in the smaller municipalities and we are looking into the possibility of upgrading the training of municipal building inspectors.

**Mr. S. Smith:** The minister is going to have a training programme for them basically.

## RENT REVIEW PROGRAMME

**Mr. S. Smith:** In the absence of the Minister of Housing (Mr. Rhodes), perhaps I could direct a question to the Premier. Is our information correct that certain employees for the rent review programme are being hired by and paid by Drake Personnel or possibly Office Overload?

**Hon. Mr. Davis:** Mr. Speaker, I think actually that minister would not be responsible for that programme in any event. In that the appropriate minister is here, perhaps the leader of the Liberal Party might direct the question to him.

**Mr. Deans:** Maybe I can help him.

**Mr. Speaker:** Order, please. The question is redirected. Is the hon. minister here?

**Mr. S. Smith:** May I redirect the question to the Minister of Consumer and Commercial Relations?

**Mr. Speaker:** Is the hon. minister aware of the question? I believe he is.

**Hon. Mr. Handleman:** Yes, the support staff for all the rent review offices are being hired through Drake Personnel which were given a contract after a number of bids were asked for by, I believe, Management Board. Drake Personnel were given that on a short-term contract.

**Mr. Peterson:** You don't have enough personnel officers?

**Hon. Mr. Handleman:** Their hiring has now been completed—and those are the support staff, not the rent review officers. The rent review officers are being hired through the personnel office of my ministry and the Ministry of Housing jointly.

**Mr. S. Smith:** Could the minister explain why the hiring is not being done by the Civil Service Commission and, secondly, how much is being paid to Drake Personnel for this service and, thirdly, whether these employees are classified as civil servants and appear on the total civil service complement?

**Hon. Mr. Handleman:** The answer to the first part of the question is simply that it was a crash hiring programme and it would have required a great deal of government resources in order to do the hiring all across the province in order to have the programme in place. It was felt desirable that before it was transferred to my ministry that it be done by Drake Personnel who had the resources to do it. I can't advise the hon. member the exact amount that was paid to Drake Personnel, but I can obtain that information. They are not civil servants, they are on a short-term contract.

**Mr. Shore:** Seventy thousand employees.

**Mr. Deans:** Why was the hiring not done through Canada Manpower and then there would have been no payment made to any personnel operation? Canada Manpower is set up throughout the Province of Ontario for the very purpose of screening and determining the suitability of applicants and there are any number of people already on the rolls of the unemployed who would like that opportunity to find work.



**Mr. Speaker:** Order, please. The question has been asked, I believe.

**Mr. Bullbrook:** The Minister without Portfolio (Mr. Henderson) could have got those people in Sarnia in 10 minutes.

**Hon. Mr. Handleman:** Mr. Speaker, I wonder if I could answer the question. I don't know why Canada Manpower wasn't asked—

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Deans:** Don't you think you should find out?

**Mr. Lewis:** They can't find jobs around the province.

**Hon. Mr. Handleman:** The decision had been taken when the programme was transferred to my ministry and it simply carried on. Perhaps the hon. member would like to ask the Minister of Housing who is involved in making that decision, when he is available.

**Mr. Deans:** Don't you think it should have been?

**Mr. Singer:** I wonder if the minister could tell us why Drake Personnel is paying these employees and not the government of Ontario and how much of each dollar that Drake pays over it takes as its commission?

**Hon. Mr. Handleman:** I can't answer the second part of the question.

**Ms. Gigantes:** Thirty per cent.

**Hon. Mr. Handleman:** Certainly it is far better in our view rather than to raise expectations of permanent employment among these people that they be paid by someone else. They are not on the government payroll and they are not part of the permanent establishment.

**Mr. Singer:** You let the Drake people take a rake-off by inserting a middleman.

**Hon. Mr. Handleman:** They will not have jobs when the programme ends.

**Mr. Speaker:** Order, please. Does the member for Hamilton West have any further questions? The hon. Attorney General has the answer to a question asked previously.

**Mr. Deans:** That's a very bad policy.

**Mr. Speaker:** Order, please, the hon. Attorney General.

**Mr. Deans:** You spend millions of dollars opening and setting up agencies.

**Mr. Speaker:** Order from the hon. member for Wentworth.

## PLEA BARGAINING

**Hon. Mr. McMurtry:** The hon. member for Riverdale (Mr. Renwick) asked me the other day to table any memoranda circulated to Crown attorneys in relation to plea discussions. The only two memoranda of which we are aware of are the memorandum by the then Attorney General, Dalton Bales, dated June 30, 1972, and a follow-up memorandum dated Feb. 26, 1976, which was circulated at my request. I would like to table these memoranda at this time.

## ANTI-INFLATION BOARD

**Mr. Swart:** My question, Mr. Speaker, is to the Minister of Labour: In view of the federal cabinet's decision on the papermill workers' settlement in the Irving case and in recognition of the fact that there may be some areas in which the settlement in Ontario exceeds that, is the minister prepared to recommend the support of her cabinet to the Anti-Inflation Board for ratification of the settlement in Ontario?

**Hon. B. Stephenson:** Mr. Speaker, the decision which is to be made by the Anti-Inflation Board and any appeal to it, in this instance is made with the private sector. The responsibility for support of the agreement should lie with the employers and the employees in that situation.

**Mr. Swart:** A supplementary—I think perhaps the minister misunderstood my question which was asking the cabinet to support the settlement in Ontario. By way of supplementary, may I ask if she is then prepared, if I take her answer at face value, to see a settlement for the papermill workers in Ontario below that settlement which has been approved in BC?

**Hon. B. Stephenson:** There has been a traditional relationship between the wages paid and the agreements arrived at in Ontario and British Columbia which, I believe, has been taken into account by the Anti-Inflation Board. I believe that the contracts which have been agreed to in the Province of Ontario have special provisions for modifications thereof should a higher settlement be agreed to by the Anti-Inflation Board in terms of those settlements east of the Manitoba border.

## HOSPITAL BUDGETS

**Mr. Shore:** Mr. Speaker, through you to the Minister of Health: In view of the minister's recent statements of an expenditure increase for services of 10 per cent and an expenditure increase for salaries of eight per cent, could he enlighten this House as to what the significance of that statement would be and if it would affect any further hospitals which haven't already been placed in a closing position?

**Hon. F. S. Miller:** Mr. Speaker, I was beginning to wonder if I had escaped the question period and I attributed it to the suit which makes me look like the Minister of Education (Mr. Wells).

**Mr. S. Smith:** That's an insult both ways.

**Mr. Reid:** It looks like one of his old suits.

**Mr. Warner:** Are you going to start closing the schools now?

**Mr. Speaker:** Order, please. We are waiting for the answer.

**Hon. F. S. Miller:** Mr. Speaker, each year it has been traditional for the hospitals to get a letter of that type setting out what the general expansion in the base budgets would be. We have simply sent to them the amounts we will fund for growth in the two important parts of their budgets—supplies and services, and labour. We have told them that if settlements they make exceed the limits we have imposed, they will not get any more money. Therefore, they should either negotiate within those limits or be prepared to curtail services in order to do so.

**Mr. Shore:** For clarification—if the settlements were made in 1975 or some point in time, for higher than eight per cent, what effect could that have on your suggested proposal to them?

**Hon. F. S. Miller:** I think you will find that in some instances allowances have been made for pre-negotiated settlements. I think this is the kind of thing each hospital has discussed with us on an individual basis.

## COMMUNITY EMPLOYMENT STRATEGY

**Mr. Mackenzie:** To the Minister of Labour: Has the Province of Ontario taken advantage of the community employment strategy proposed by the federal Manpower and Immigration Department and has the minister considered Hamilton-Wentworth as an implementation centre?

**Hon. B. Stephenson:** Mr. Speaker, the answers to those questions are yes and yes.

## AUTO LICENSING AGENCIES

**Mr. Reid:** I have a question for the Premier in the absence of the Minister of Transportation and Communications (Mr. Snow): Is the Premier aware of the programme, Fifth Estate, on CBC some two week ago, which outlined some of the abuses of the licence issuers in the Province of Ontario? Is the Premier aware of the criticisms in the auditor's report of last year of the financial handlings of that ministry, of the \$165 millions? Has the minister or Premier given and direction to have this whole sordid mess cleaned up and assure the public of the province that the fees collected are, in fact, getting into the public coffers?

**Hon. Mr. Davis:** Mr. Speaker, I think the hon. member perhaps might ask the minister more directly when he is here; which I expect he will be tomorrow. I can't say that I did watch that particular television programme. I don't find as much time as I would like to watch television, so I didn't see it. I can't comment on the programme at all.

**Mr. Sargent:** Did you see "The Insurance Man from Ingersoll"?

**Hon. Mr. Davis:** But, particularly, I understand it was a non-violent programme, so there would have been nothing offensive about it, I'm sure—much. I'd be delighted though to alert the minister to the question and have him be ready to reply tomorrow.

**Mr. Reid:** By way of supplementary, if I may, Mr. Speaker. Is the Premier not concerned that \$165 million of the people's money is being mishandled in the province? And doesn't he think he has a responsibility to ensure, in view of the fact that 90 per cent of the returns from licence issuers have been incorrect in the past number of years, some responsible direction in this regard? Since your minister—

**Hon. Mr. Davis:** Mr. Speaker, I don't know whether I heard the hon. member correctly. How much money is he talking about?

**Mr. Reid:** About \$165 million.

**Hon. Mr. Davis:** That he is saying was mishandled? I don't think that's what the report said.



## REIMBURSEMENTS TO TRAVELLERS

**Mr. Philip:** A question of the Minister of Consumer and Commercial Relations: What arrangements have been made under the Travel Industry Act, 1974, to reimburse the passengers who paid for the Blue Vista tour that was scheduled to leave Jan. 23 for Jamaica?

**Hon. Mr. Handleman:** Mr. Speaker, if they've dealt with a registered travel agent or a registered tour operator in Ontario, and if they have put their claims in to the registrar of travel services, those claims are being processed—and, presumably, will be dealt with by the compensation board which has been established for that purpose.

**Mr. Philip:** Supplementary, Mr. Speaker: Has anyone to date received reimbursement who was scheduled to be on that tour?

**Hon. Mr. Handleman:** Mr. Speaker, many people have received reimbursements directly from the agents or others. At the moment all of the claims are being compiled by the registrar simply because the terms of the trust agreement are that no claims can be paid until they're all in—and not all of them are in. But many consumers have been reimbursed, yes.

**Mr. Speaker:** A final supplementary.

**Mr. Philip:** Is the ministry planning on taking any legal action against any travel wholesaler, agent or sales person as a result of this?

**Hon. Mr. Handleman:** There is no evidence that would lead us to believe that any such action would bear any fruit. I know of no offences at the moment.

## VOLUNTARY FARM INCOME STABILIZATION PLAN

**Mr. McKessock:** I have a question for the Minister of Agriculture and Food. In view of the fact that the Throne Speech stated that there would be legislation coming forth to allow for a voluntary farm income stabilization plan, could we have a date when we can expect this legislation to be presented?

**Hon. W. Newman:** Mr. Speaker, it is very difficult to say, but certainly it will be as soon as possible—because I want to leave it on the order paper for a while so members will have a chance to look at it.

**Mr. McKessock:** Supplementary: The last Throne Speech indicated we would also have a plan to this effect and that it would be in place before the seeds went in the ground—

this was last year. Would the minister give us this same promise?

**Hon. W. Newman:** From the member's fair part of the country it might be a while before the seeds get in the ground, but in other parts of the province the seeds will be in the ground very shortly.

**Mr. Reid:** Election stakes first.

**Hon. W. Newman:** No, I intend to bring it in very soon.

**Mr. Reid:** The election stakes will be in the ground before government policies.

**Mr. Conway:** Has the member for Lambton (Mr. Henderson) been sowing his oats?

## HIRING PRACTICES AT CARLETON

**Mr. Martel:** To the Minister of Colleges and Universities: Based on Professor Mathews' report with respect to the hiring practices at Carleton, is it the minister's intention now to move ahead with any of the recommendations in the select committee report based on colleges and universities?

**Hon. Mr. Handleman:** You aren't listening to Robin Mathews again, are you?

**Mr. Martel:** Could the minister indicate what action his ministry intends to undertake in implementing those recommendations?

**Hon. Mr. Parrott:** I will in the very near future. I am tempted to say "in the fullness of time," but I know that that isn't good enough. I said "this spring," and I can assure the member that I will do so this spring if it's three or four weeks—I think I need that much more time—but it will be then.

[2:45]

## NEW FUELS

**Mr. B. Newman:** Mr. Speaker, I have a question of the Minister of Energy. Has the minister or his officials looked into the dramatic new form of dry-powdered fuel called magnesium hydride that provides energy equivalent to paying six cents for a gallon of gasoline?

**Hon. Mr. Timbrell:** Mr. Speaker, I personally have not, but I will check with the staff who are involved in ongoing work with such things. Perhaps it might also be known to the Ministry of Transportation and Communications, who have under way a programme involving the testing of 10 alternative fueling devices for cars.

**Mr. B. Newman:** Supplementary: Will the minister then contact the Billings Energy Research Corp. in Provo, Utah, for additional information?

**Hon. Mr. Timbrell:** I don't know if the hon. member has a franchise or what, but perhaps if he already has the information he could send it to me and it would save me having to write.

#### EFFECT OF FLUORESCENT LIGHTING ON FOOD

**Mr. Burr:** Mr. Speaker, a question of the Minister of Agriculture and Food regarding the three-year study at the University of Guelph concerning the detrimental effect of fluorescent lighting on various foods displayed for sale in stores, especially milk and butter: What is the ministry doing to require light-protective packaging for these foods?

**Hon. W. Newman:** The packaging of the foods does not come under the jurisdiction of my ministry, but certainly we have done considerable work in the field, as you well know, and have made a report public. But we have done nothing specific as far as packaging is concerned.

**Mr. Burr:** Supplementary: What is the good of the study unless the minister is going to get some results?

**Mr. Deans:** That's a good question.

**Mr. Burr:** Whose responsibility is it? Is it the Minister of Consumer and Commercial Relations (Mr. Handleman)?

**Hon. W. Newman:** Mr. Speaker, I will just comment on that report that did come out. It's a fairly extensive report on fluorescent light and how it can affect food, depending on how long it is left there; that would have some bearing on it. Certainly we don't see any major health problem there. I don't want to speak for the other ministries—the member could ask them about it—but I don't see any major problem there.

#### TREATMENT OF WORKERS AT HYDRO PLANT

**Mr. Sargent:** Mr. Speaker, a question to the Minister of Energy: What plans has the minister to investigate both the charges of 350 pipefitters employed by the Lummus Co. in the Hydro water plant at Douglas Point with regard to the charge that they are being treated like "white niggers" by the advisory

staff, all Americans, and the documented stories I have that millions of dollars of waste is being perpetrated by the Lummus Co. under the protection of Hydro?

**Hon. Mr. Timbrell:** Mr. Speaker, I think that last statement has to be just about one of the most irresponsible statements I have ever heard that member make, and usually he is hard to beat, even by himself.

**Mr. Sargent:** Mr. Speaker, it is in the press, it is well known.

**Hon. Mr. Timbrell:** Mr. Speaker, I have answered numerous questions over the last 14 months from that particular hon. member on that particular project with regard to that particular company, and if he ever has information to substantiate any of these allegations I wish he would supply it to me.

**Mr. Sargent:** You will get it after the House.

**Hon. Mr. Timbrell:** In 14 months he has never been able to do it. Now, with regard to his specific question. He alleges that all of the supervisory staff are Americans. I want to tell him that there are 223 supervisory staff at that particular site. The company in question advertised extensively in Canada. Supervisory staff are hired on the basis of their ability in relation to that kind of a nuclear project. Eighteen of 223 are Americans.

If he wants to get into the particulars of the labour situation on that site, if he would like I will read him—

**Mr. Sargent:** So you know all about it. You have got it all there.

**Mr. Shore:** How come you are so prepared?

**Mr. Speaker:** Order, please.

**Mr. Sargent:** Are the Canadians all wrong? Are they all wrong?

**Hon. Mr. Handleman:** Don't you want the answer?

**Mr. Speaker:** Order, please. The question which has been asked is being answered.

**Hon. Mr. Timbrell:** I want to make it clear, Mr. Speaker, that the hon. member did not tip me off beforehand that he was going to ask this question.

**An hon. member:** He's just well prepared.

**Mr. Good:** Somebody did.

**Hon. Mr. Timbrell:** I just believe in being prepared for such things. If the hon. member



would like a summary of what is involved with the current labour dispute to which he refers I would be glad to read it now, or I can send it to him, whichever he prefers.

**Mr. Sargent:** Send it to me.

**Mr. Grossman:** Better read it to him.

### ALLEGATIONS OF PATRONAGE

**Mr. Samis:** A question to the Minister of Health if I can get his attention.

**Mr. Warner:** He is the one who wanted questions.

**Mr. Samis:** Is the minister aware of allegations in the press in eastern Ontario of patronage regarding the awarding of a nursing home licence in Dundas county? Would he be prepared to table all the relevant documents in the House?

**Hon. F. S. Miller:** Mr. Speaker, I'm not aware of any allegations of patronage but I'm certainly aware of the nursing home in question, and the fact that a Dr. Parisien in the city of Cornwall feels he should have won, and the fact that we gave it to a Mr. Augwire in another community who already had an allowance, I think, of 40 beds in addition to his basic licence. They were both among the numerous people submitting proposals. It was chosen in a perfectly fair way and it's above reproach.

**Mr. Samis:** A supplementary, Mr. Speaker: The question was, would the minister be prepared to table those documents?

**Hon. F. S. Miller:** Mr. Speaker, I don't think I need to table those documents. I think the choice was perfectly well made.

**Mr. Cassidy:** Over there, you should make a struggle.

**Mr. Lewis:** If it is above reproach, why not table the material?

**Mr. Speaker:** Order, please.

### CONSUMERS AND THE BUSINESS PRACTICES ACT

**Mr. Good:** A question of the Minister of Consumer and Commercial Relations: Why does the ministry not assist consumers in their disputes—

Interjections.

**Mr. Speaker:** Order, please. We can't hear the question.

**Mr. Good:** —under the Business Corporations Act—I believe it is section 55—regarding verbal misrepresentation, instead of telling them to go to the small claims court and have a judge decide? Why doesn't the ministry assist them by telling the businesses involved what their obligations are under that section of the Business Corporations Act?

**Hon. Mr. Handleman:** Mr. Speaker, I believe the hon. member is referring to the Business Practices Act. I would like to have some specifics about cases where our ministry has not advised merchants of their liabilities under that Act. Certainly, the courts are there to adjudicate and our ministry is not to act as a court. We will take action under the Act if I could have some specifics.

**Mr. Good:** A supplementary: Would the minister then investigate the charges or allegations made by Barbara Klish yesterday on CBC radio—she's a consumer affairs expert—who said your ministry simply told the people to go to the small claims court to get their grievances settled rather than going to the businesses and telling them what their obligations are under that section of the Business Practices Act? Phone Barbara Klish at the CBC.

**Hon. Mr. Handleman:** I certainly will make inquiries and ascertain whether or not there have been any improper acts on the part of our officials.

### LAYOFF OF TEACHERS AT TRAINING SCHOOL

**Ms. Sandeman:** A question of the Minister of Correctional Services: Could the minister please explain to me why it was felt necessary to lay off five academic teachers at Grandview Training School on Dec. 31 at a time when the school had such a shortage of teaching staff that it found it necessary to find 20 volunteers to help with students in their academic classes?

**Hon. J. R. Smith:** Mr. Speaker, the reason for the reduction in the teaching complement was the low counts at Grandview school.

**Ms. Sandeman:** A supplementary, Mr. Speaker: Could the minister explain then why the reason given for needing volunteers was that the students needed help

with their academic classes? Could the regular complement of teachers not have provided that help?

**Hon. J. R. Smith:** I think it should not be construed that this bears any relationship. The policy of the ministry—and I've encouraged this wherever possible, particularly in the juvenile division—is that there is a very positive role that volunteers can play, particularly in remedial reading and other aspects of education. They are encouraged at all the centres to use the volunteers.

**Mr. Foulds:** A supplementary, Mr. Speaker: Would the minister, as the former parliamentary assistant to the Minister of Education (Mr. Wells), not agree that fundamental skills such as remedial reading need a certain amount of expertise and that not all the volunteers you might get in such a programme would have that expertise? Wouldn't the minister further agree that inadequate teaching at that particular point could have a positively harmful effect?

**Hon. J. R. Smith:** I just used that specific example. The fact of the matter is that all volunteers go through an orientation programme—selected volunteers from the community.

**Mr. Warner:** The fact is you got rid of five teachers and took 20 volunteers.

**Hon. J. R. Smith:** They have a role in many capacities and I know they complement and reinforce the teaching staff and are of great assistance to them. It is unfortunate that these teachers at Grandview received their notice very late; I know particularly that the art teacher, for example, was one of them.

Nevertheless, the counts are down and in no way are we trying to bolster the loss of that complement through volunteers, but rather to enrich the overall programme.

**Mr. Lewis:** We know how you enrich the programme.

#### FUNDS OF PATIENTS IN HOMES FOR THE AGED

**Mr. R. S. Smith:** Mr. Speaker, I have a question of the Minister of Community and Social Services in regard to the statement he made on two occasions with regard to the confiscation of the funds of senior citizens in institutions in this province if, in fact, they have over \$500 to their credit with that institution. Would he explain to me his reasoning

behind that policy; how he is going to implement it—whether by regulation or by a change in the Act brought into the House—and if, in fact, this is the policy of the government to be followed continuously?

**Hon. Mr. Taylor:** First of all, let me answer that in the reverse order to which it was asked. May I say that the proposal was—

**Mr. Lewis:** Answer; answer. Get to the answer.

**Hon. Mr. Taylor:** Just be patient.

**Mr. Speaker:** Order, please, you're wasting valuable time.

**Mr. Lewis:** Answer.

**Hon. Mr. Taylor:** Maybe he'll learn something that he didn't learn through the press.

**Mr. Speaker:** Order, please, the hon. Leader of the Opposition.

**Mr. Lewis:** Get to the answer.

**Hon. Mr. Taylor:** All right. First of all, may I say that there has been no policy developed by this government in connection with that particular suggestion that I enunciated.

**An hon. member:** No policy?

**Hon. Mr. Taylor:** May I say that the proposal, or the suggestion that I put forward, was made by me after discussing a particular situation that exists with the administrators of the homes for the aged throughout the province. As a matter of fact, the suggestion in terms of these trust accounts was advanced to me and put forward as well not long ago by the Metropolitan Toronto welfare committee. May I say that if you look at the situation that exists, persons resident in homes for the aged pay their full rate within those homes if they have the financial capacity to do so. In other words, if they have their own private assets, then they pay their own way in the homes for the aged until those liquid assets are—

**Mr. Lewis:** Answer, Mr. Speaker. This is ridiculous.

**Hon. Mr. Taylor:** —brought down to the sum of \$2,000. That's their own money and there was never any suggestion that that be changed. However, there has developed in Ontario a situation in regard to the buildup of trust funds because of residents in the homes who have become senile and who are not able to spend sums allotted to them as comfort allowances. In other words, there has



been a buildup in Ontario, I've been told, to the extent of some \$10 million.

**Mr. R. S. Smith:** How many chapters are you going to cover?

**Mr. Speaker:** Order, please.

Interjections.

**Hon. Mr. Taylor:** Let me answer.

Interjections.

**Mr. Speaker:** Order, please. The oral question period has expired.

Interjections.

**Mr. Speaker:** Order, please. I lost track of that question and the answer both.

Interjections.

**Mr. Speaker:** Order, please—just one moment, please. I stretched the time just for a moment because I recognized the member for Nipissing in time for the last supplementary. I did allow it to go, even though it was the end of the period. But it has gone on well past the end of the question period.

**Mr. Deans:** That's his fault.

**Mr. R. S. Smith:** I'd like one supplementary.

**Mr. Speaker:** We're four minutes over now. So I think we should leave it to another day.

**Mr. Singer:** Mr. Speaker, on a point of order.

**Mr. Speaker:** Order, please. I've even forgotten what the question was. Let's get on to the next order of business.

On a point of order, the member for Wilson Heights.

**Mr. Singer:** Yes, Mr. Speaker, surely there has to be some measure of control brought to bear on cabinet ministers who unduly prolong their answers, as this minister was doing a moment ago.

**Hon. Mr. Taylor:** Does the member for Wilson Heights want the facts?

[3:00]

**Mr. Speaker:** I am sure I have encouraged short questions and short answers and I would do that again today.

Petitions.

**Mr. Nixon:** The government backed down on it anyway.

**Mr. Lewis:** Someone told me yesterday that he gives the right wing a bad name.

**Mr. Speaker:** Order, please.

Motions.

**Mr. Lewis:** He takes the right-wing plank of the Tory party. Something has to be done about it.

**Mr. Speaker:** Order, please.

Introduction of bills.

Interjections.

**Mr. Speaker:** Order. Could we get on with the business of the House? Any bills?

**Hon. Mr. Welch:** Mr. Speaker, before the orders of the day, I wish to table the answer to question No. 1 standing on the notice paper. (See appendix, page 486.)

**Mr. Deans:** On a point of order.

**Mr. Speaker:** Order, please. There seems to be a point of order or something.

**Mr. Deans:** I rose when you asked if there were any bills but you were looking that way, sir.

**Mr. Speaker:** I am sorry if I missed you. I will recognize you now.

## FIRE PROTECTION ACT

Mr. Deans moved first reading of bill intituled, An Act relating to the installation of Automatic Fire Extinguishing Systems in Buildings.

Motion agreed to; first reading of the bill.

**Mr. Deans:** The bill provides that buildings or structures over three storeys in height or 45 ft in height to the roof line above grade be equipped with approved automatic fire extinguishing systems. It applies equally to new buildings and to buildings that are being rebuilt.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the motion for an address in reply to the speech of the Honourable the Lieutenant Governor at the opening of the session.

## THRONE SPEECH DEBATE

(continued)

**Mr. S. Smith:** Mr. Speaker, I am delighted to rise at this time to speak in this debate. I

want, first of all, for the sake of members opposite to explain that anything I may say in the course of this shortish discourse should not be taken as an offence to Her Honour the Lieutenant Governor but rather as an offence to her government.

**Mr. Mancini:** That goes for the Minister without Portfolio (Mr. Henderson) too.

**Mr. S. Smith:** I feel, rather than start in perverse order the way my friend opposite does when he goes about answering questions, I'll start at the beginning.

**Hon. Mr. Taylor:** Because your memory is short.

**Mr. S. Smith:** First of all, I want to continue with something I mentioned on the day on which the Legislature opened, that is, I would like to just take a moment to pay tribute to my predecessor in office, the member for Brant-Oxford-Norfolk (Mr. Nixon). I did make mention of this at the opening when the Premier (Mr. Davis) and the Leader of the Opposition (Mr. Lewis) were kind enough to issue friendly remarks of greeting to me, but I do want to take just a little more time because I do believe that the people of Ontario have been, generally speaking, very well served by the politicians of all political stripes who have offered themselves over the many years to the public service in Ontario.

Among the people who have served Ontario very well, and I hope in this case will continue to serve Ontario very well for many years, there must rank very high the name of the member for Brant-Oxford-Norfolk. He is not only very well loved in his constituency, as I am sure we are all aware, but, generally speaking, he has a very well, deserved reputation as a decent man, an honourable man, an able parliamentarian, and as a person dedicated to the betterment of political life in this province.

Although there will be many times and there have been many times when there have been disagreements—even violent disagreements—with various members in various parts of this province and various parties, I think fundamentally Ontario would be very fortunate indeed if there were more people ready to offer themselves with the same selfless dedication which has been shown by this man's family and by this man himself. I'm very privileged to be following in his footsteps. I very much appreciate the fact that members of this House have shown similar appreciation.

I'm particularly pleased, of course, to be representing Hamilton West. On previous

occasions I have detailed some of the difficulties we have had in Hamilton in getting what we consider fair treatment from provincial governments and, for that matter, from federal governments as well.

Hon. members know already that our natural setting has been rather despoiled. Our bay is polluted. People living in the vicinity of our industries are suffering from illnesses—cancer, respiratory illnesses—and, generally speaking, we have had very little in the way of protection or in the way of special consideration for our heavy industrialization. We've had very little in the way of meaningful decisions from the Ministry of the Environment in particular or the Ministry of Health.

The people of Hamilton are becoming very impatient with the government in Ontario and in particular they are a little disturbed right at the moment by a tiny piece of typical arrogance, I guess, on the part of the present government. The municipal government in Hamilton, the regional government, is presently being bullied to accept an expressway route through Red Hill Creek which is a rather lovely conservation area. They're being threatened. They either have to seriously consider putting it through this area or they are going to lose the \$2 million subsidy. It's just typical of the way in which this city has been handled by successive governments over the years. On behalf of the citizens of Hamilton I want to protest in a heartfelt way about the way in which that particular city has been singled out for abuse and lack of protection.

Turning more to partisan matters, I was amazed and impressed by the three-hour performance by the Leader of the Opposition yesterday. I sat through it all with the exception of a few moments and I found that there was very little I could disagree with. I thought that he—

**Hon. Mr. Davis:** Were you more amazed or impressed?

**Mr. S. Smith:** I was both.

**Mr. Lewis:** Don't push it when he is nice. Leave him alone. He has been friendly; leave him alone.

**Hon. Mr. Davis:** I thought I'd give him a chance.

**Mr. Lewis:** He is coming to the point right away.

**Mr. S. Smith:** I assure the Premier that I was both. I think there are not many parlia-



mentarians who could stand and give a three-hour oration of that pith and substance and I was impressed. I must say many of the criticisms which he levelled I had either levelled previously or would have liked to have levelled previously because I think many of them were very well put.

He did, however, take a little time at the beginning of his address to comment briefly on the Liberal Party and on me personally. I thought perhaps I should at least pay a little attention as well to this party sitting over to my right, even though the main substance of my comments today will pertain more to the gentlemen and ladies opposite.

For one thing, I want to take up the sensitivity to some remarks that I am quoted as having made. I'm really surprised to find that the Leader of the Opposition could believe I could have made the sort of red-baiting and red-smear type statements he quoted when he mentioned the business about Marx and the way the Russians liberated Latvia. The notion of comparing the NDP in that way to the totalitarian regime in eastern Europe is so distant from my mind that there is no way I would even think of making that kind of ridiculous and malicious child-like accusation or slur.

My point was as follows: I had pointed out that I agreed with many of the humanitarian policies of the New Democratic Party and I pointed out that in my opinion—and I'm entitled to that—I felt that their economic policies had not really advanced since the time of Marx. The name of Marx was not thrown out there in order to be a bogeyman or to scare anybody or because of any connotation—

**Mr Lewis:** Why?

**Mr. S. Smith:** —but as an economist, as a scientist.

**Mr. Lewis:** You might have chosen Adam Smith or Sun Yat-sen, but Marx came to mind—an easy, homelike fellow. Or why not Henry VIII?

**Mr. Speaker:** Order, please. The hon. member will continue.

**Mr. S. Smith:** It has been my view that in fact the fundamental underlying philosophies of at least those members of the NDP who do admit to being socialists—I am not including those who claim only to be social democrats—

**Mr. Lewis:** Here, I will poll them for you.

**Mr. S. Smith:** —really are based primarily on the class struggle; that basically they do see life in terms of a capitalist class and a working class and a need to somehow or other use government to bolster the working class against the capitalist class and this, as far as I am concerned, is a rather antiquated way of looking at economics.

**Mr. Bain:** Talk to the workers about it!

**An hon. member:** Are you setting our programme then?

**Mr. S. Smith:** The other point I was making had to do with a very difficult matter which faces not only this party but also our own and the ladies and gentlemen opposite. That is, how do you protect the ordinary individual nowadays against the large, entrenched, powerful institutions in society?

**Mr. McClellan:** Like the Liberals.

**Mr. Cassidy:** Like the federal Liberals, yes?

**Mr. S. Smith:** Unless you form an arm of a powerful government in order to protect them, and then you do run into the risk, as Mr. Broadbent has suggested lately in his recent musings about the future of this party, that you then have to somehow or other free the people from the big entrenched government which you originally hoped would free them and protect them and liberate them from the big corporations or whatever.

This is a difficulty facing everybody in politics today. How do you protect the weak and the disadvantaged against the powerful without creating a powerful government bureaucracy to do it? So, in musing about that particular problem I pointed out that that is in a way similar to the question of leading them to be liberated from your liberators. And I used the analogy of the Russians and Latvia—not because there is any particular—

**Mr. Deans:** It's contrary to reason.

**Mr. Cassidy:** He stumbles into these examples.

**Mr. Lewis:** What about Portugal and Angola?

**Mr. Martel:** Why don't you try the junta?

**Mr. S. Smith:** I could easily, Mr. Speaker, have ignored the comments. I've tried in a reasonably friendly and responsible way to explain that there was no red-baiting, there were no smear tactics. That is not, in fact, the explanation, I am sure, for the remarks of the member from the island of sanity. I

would very much appreciate not being lumped in with that man. It is bad enough that I have to pick up the Hamilton Spectator daily and see my good surname used with atrocious headlines and—

**Mr. Cassidy:** You better be careful.

**Mr. S. Smith:** —my heart skips a beat while I say, “My God, surely I didn’t do anything like that”, and then find out it was not I to whom the remarks were intended.

**Hon. J. R. Smith:** A lot of your voters thought you were me.

**Mr. Cassidy:** You are going to send him around the province in your footsteps.

**Mr. Lewis:** You just wait for your great conversion.

**Mr. Davidson:** The member for Hamilton West hasn’t reached the top of the mountain yet, that’s his problem.

**Mr. S. Smith:** There are problems within the New Democratic Party, however, and the fundamental ones—

**Mr. Cassidy:** You have a few problems in your own too.

**Mr. Lewis:** I will attest to that all right.

Interjections.

**An hon. member:** Thirty-eight of them.

**Mr. Lewis:** You should only know what the problems are.

**An hon. member:** The Premier.

**Mr. S. Smith:** And the people of Ontario, you know, although I am sure they all admire them as a wonderful opposition party, I don’t think they would ever take the chance of putting them into the seats of government.

**Mr. MacDonald:** The decision doesn’t rest with you.

**Mr. Lewis:** Stranger things have happened. It’s possible.

**Mr. S. Smith:** Given the difficulties that we all have, and which they themselves admit—and again I quote Mr. Broadbent—in deciding whether the party is in fact to be a labour party or a socialist party, is it to be a labour party or a liberal party? Is it to be a socialist party or a liberal party?

[3:15]

**Mr. Foulds:** You really were frustrated by Trudeau.

**Mr. S. Smith:** And in fact these are the difficulties. At the moment they seem to wish, at least the leader does, to be a liberal party. They are pedalling furiously toward the middle—

**Mr. Bain:** The Liberals aren’t, so somebody has to.

**Mr. S. Smith:** —and we will gladly welcome them in this way, but unfortunately for them we are already here.

**Mr. Lewis:** If this wasn’t a maiden speech, I would plead slander.

**Mr. S. Smith:** Mr. Speaker, if you look at their amendment, I must say I agree with virtually everything in that amendment, but—

**Hon. Mr. Handleman:** Why wait until tonight to vote?

**Mr. Lewis:** We drafted it with you in mind.

**Mr. Speaker:** Order, please. The hon. member for Hamilton West has the floor.

**Mr. S. Smith:** I’ll wait.

**An hon. member:** Move adjournment.

**Hon. Mr. Davis:** Listen, the Lieutenant Governor is away for a few days. Can you—

**Mr. S. Smith:** I wish to draw the attention of the public in Ontario to the fact that these very pressing problems, which they correctly point out have been mishandled by the government opposite, would have been made into a complete hash by these people.

**Mr. Grossman:** Well, you’re half right.

**Mr. MacDonald:** Here comes the tortuous explanation.

**Mr. Lewis:** Even so, if we are not going to be—

**Mr. S. Smith:** The Leader of the Opposition will have his chance to have an election. He just has to vote for what we come up with.

**Mr. Bullbrook:** Try that one on!

**Mr. Lewis:** Are you going to force an election—

**Mr. Ruston:** Now what do you say? That settled that.

**Hon. Mr. Handleman:** He’ll vote against his own motion.

**Mr. S. Smith:** They have spoken of the need to preserve agricultural land and I have



gone over a good part of this province saying the same sort of thing—

**Hon. Mr. Davis:** Could you find your way back?

**Mr. S. Smith:** —but the difference is that I don't do what they did last election. I don't go to the city of Toronto and tell them that we are going to build all the houses they need, yet we will not increase densities within the neighbourhoods inside the city of Toronto and we will also not sprawl on to adjacent farm land. The houses presumably could be built in mid-air or under the lake somewhere.

When they speak of the need for job creation to offset rising unemployment, they of course unfortunately speak of it only in the public sector, which has already grown at six times the rate of the private sector in recent years. They have, as the member for Beaches-Woodbine (Ms. Bryden) has let us know, an infinite number of taxes in mind for the corporate sector and for every source of wealth that she is able to discern and may happen to exist in this particular province. And they still believe that redistributing whatever wealth and profit exists in the private sector is somehow or other going to create jobs in the long run. But that's because they want governments to provide jobs.

I was in this House when the rent review legislation came in, and they stood and trumpeted that this was the death knell for free enterprise. I was in this House when they were delighted to say that all apartment construction and rental construction would have to be taken over by government. I don't wish to be on one of their governmentally inspired waiting lists which will undoubtedly result.

**Mr. Swart:** These comments need psychiatric interpretation.

**Mr. S. Smith:** They speak, of course, of the need for restraint, and this I find very amusing because the truth is that within their party they are torn asunder. It is restraint vs. jobs. It is the attempt to be a moderate liberal party vs. their powerful union support. They know that's the kind of battle they have within their party. They know that very well.

**Mr. Breaugh:** Your own caucus will applaud you on that.

**Mr. S. Smith:** Look at their views on wage and price controls. They are unable to come up with a reasonable alternative for the control of inflation and they are willing to countenance a situation where the very powerful labour unions in this country are able to engineer very high wage settlements—

**Mr. Foulds:** Such as high wages for non-medical employees in Port Arthur.

**Mr. S. Smith:** In that way they are able to redistribute wealth in favour of those who are employed in the large industries and the powerful unions, and in that way they are able to take that wealth from those who are not in unions, who are in very weak unions or who are on fixed incomes.

**Mr. Lewis:** There are 87 Tories in this House—87 Tories.

**Mr. S. Smith:** And their inability, in fact, to legislate the teachers back to work; their inability to shake off their indebtedness to their big labour union friends, their inability to shake it off sufficiently to vote to send the teachers back to work—something as simple and as straightforward as that—is simply symptomatic of the difficulties within their party.

**Mr. Nixon:** A measure of their irresponsibility.

**Mr. S. Smith:** Their rhetoric is admirable; their research is excellent—and their espionage is unbelievable.

**Mr. Good:** And your security is lousy.

**An hon. member:** The NDP-CIA.

**Mr. Moffatt:** It doesn't even compare with the Ministry of Energy.

**Mr. S. Smith:** But I am afraid that, as I say, much as we all admire this, we all feel they're an excellent group of opposers, they are certainly not a group to be taken seriously when the public wishes, as it wishes now—

**Mr. Lewis:** We'll see how the public feels.

**Mr. S. Smith:** —to change the government in this province.

**Mr. Lewis:** That has a hollow ring to it.

**Mr. S. Smith:** I shall now turn my attention to the government of the day.

**An hon. member:** Paper tigers.

**Mr. Lewis:** Your days are numbered.

**Mr. S. Smith:** The Throne Speech was very interesting, and it was typical of the Throne Speeches we've come to expect in recent years, more notable by what is omitted than what happens to be contained therein. The big problem is, of course, that the Throne Speech lets us all know that there's no overall plan for Ontario. After 33 years in government, there's no sense of preparing for a

future; no sense of looking at the changes which are coming upon us day by day, and which in the next 25 years may well be greater than the changes of the past many centuries in fact.

There's no sense that there's a recognition that our province has come to be a place where the sons and daughters of those who live in the towns and villages trek relentlessly to the city of Toronto and to the area in the "golden horseshoe," taking up as they do the finest in farmland, eradicating it from possible production just at a time when it may well turn out that that farmland is what can rescue this province and this country economically.

There's no sense that this government is truly aware of what happens to small-town living when everybody, as they hit the age of 20 or 21, or even before then, has to leave their families; and people don't think in terms of the future as a family, but in terms of the future as a broken up, fractionated, fractured group, a community that has no sense of continuity.

There's no sense given to us, in that Throne Speech, that there's a government there that's truly aware of the monumental changes which will be required in our attitudes toward bigness in industry and toward bigness in government; the need to provide employment at the local level, in the rural areas—

**Mr. Foulds:** How about at the provincial level?

**Mr. S. Smith:** —and to have this co-ordinated with a proper transportation policy so that we can have meaningful decentralization in this province. There's obviously no sense that this government is going to do anything other than lurch from crisis to crisis, attempting to put forward whatever cosmetic legislation they're able to devise on one occasion or another.

Look at the Throne Speech, and it starts: "This Legislature is called into session in a time of optimism about Ontario's ability to maintain the quality of life of its citizens."

Well I must say there are many citizens who don't share that sense of optimism referred to in the Throne Speech. I don't call it a time of optimism when our unemployment is already at 6.8 per cent—5.9 per cent seasonally adjusted—and is going up according to all predictions. I'm not optimistic about a situation where the cost of living index has shot up to 144.8 in Thunder Bay, and 142.7 in Toronto. The Throne Speech goes on and says: "The province's financial commitment to help education, social and municipal programmes will not be reduced."

That simply is not the truth. We have already sat through the spectacle of the Minister of Community and Social Services (Mr. Taylor) attempting to answer for the limitations he has put on social service spending in municipalities of this province.

I would like to remind the people in the government of Ontario of the Edmonton commitment, the paper by John White at a tri-level conference in Edmonton in 1973. He said:

The Ontario government therefore gives this guarantee to its local governments: Provincial assistance in future years will grow at a rate not less than the growth rate of Ontario's total revenues.

We know very well that the province intends to renege on this this year. How can it possibly come up with a statement and say the province's financial commitment will not be reduced? How can it say, at a time when the dollar is depreciating at 10 per cent, that a 5.5 per cent ceiling is not a cutback—or for that matter 3.1 per cent as it is in some instances?

It talks of education, and I don't wish to go into extensive detail; suffice it to say that the Metropolitan School Board in Toronto has made it very clear to the government that, according to present information from this government, it may actually be receiving less money this year because of some of the changes in the transitional enrolment provisions.

I find it very difficult to put up with a Throne Speech which says employment security is the only real income security a free society can afford. Of course that's true. But closing small hospitals in small communities where in many instances, these are the largest or the second largest employers, is this employment security according to the Tory government at this time? Is that how it is to be defined in 1976?

What is the government doing to retrain and absorb these people? In my own city of Hamilton it's clear that a certain number of people have become redundant in the psychiatric hospital because of the trend, over the years, for patients to be treated on an outpatient basis. This is something the ministry has known very well for years, yet nothing was done to retrain these people for employment in the sector which would take care of the outpatients. Nothing was done to retrain these people to man the halfway houses or the boarding homes or any of these things which are very useful and now accommodate the patients who used to be inpatients. These



people have simply been told all of a sudden, "You are out on the street."

How can the government have the hypocrisy to make a statement that employment security is the only real income security in a free society and so on when it is going about the province in this way with no provision for retraining, no consultation, no attempt to soften the blow for the people who have lost their jobs. We know that the manufacturing industry in Ontario is actually on the way down, not on the way up. This is the conclusion of every analyst who has looked at the situation. Where are these jobs going to come from?

The speech went on: "My government is aware of its responsibility to ensure that those who are in genuine need receive social assistance." I am absolutely beside myself on that one—if you can imagine there might be two of me.

**Hon. Mr. Taylor:** One of you is enough.

**Mr. S. Smith:** We have known for years that it is necessary for those who are able-bodied and who are healthy and so on to be working. Many municipalities have wanted to establish programmes to get people off welfare and working but it has been this government which has blocked these efforts. It's been this government which has made it very difficult.

The government comes to the children's aid societies and other benevolent groups—societies which have already told us they will have to turn away children in need—and all the Minister of Community and Social Services can do is posture and go about making statements like no able-bodied welfare person is going to get away with not taking a job.

In Hamilton-Wentworth for every four persons, skilled and unskilled, looking for work in the region, there is only one opening—frankly, I am not even sure there is one now. These figures are a couple of weeks old. In my constituency office, I am now finding a tremendous number of very able people, dedicated, who wish to work, totally unable to find jobs in a region as industrialized as Hamilton. I am sure the other Hamilton members, in their constituency offices, have been running into the same phenomenon.

I am very concerned that this is the situation today. When I hear this kind of posturing and nonsense saying: "Under my administration, nobody is going to collect welfare if they are able-bodied," then I know it's just pandering to a red-

necked sentiment, which probably exists in some parts of this province but which I hope is a very small and hopefully unimportant, minority.

[3:00]

**Mr. Reid:** Just on the front benches over on that side.

**Mr. S. Smith:** You may well be right.

**Mr. Foulds:** Where are you going to create the jobs?

**Mr. S. Smith:** And then the brilliant scheme; they are going to force mothers on welfare back to work, mothers of school age children. That has to have hit a new height in terms of modern social services.

**Mr. Deans:** It is a new low.

**Mr. S. Smith:** I was being sarcastic; you'll accept that.

**Mr. Deans:** Yes.

**Mr. S. Smith:** Yes, thank you very much.

**Mr. Reid:** They have no sense of humour. That's what makes them socialists.

**Mr. Peterson:** Socialists are no fun at parties.

**Mr. S. Smith:** By what strange logic has the government concluded that a family and children, bereft of one parent, would be better bereft of both? Why are such people better working in industry than working at home? How can this particular minister justify the matter, which I brought up in the House the other day, of being the only province which vetoed the provisions that were being offered to change the Canada Pension Plan so that thousands who are in the home taking care of children can accumulate credits for their pension plan under the Canada and Quebec Pension Plans? This is something every province, no matter what its political stripe, agreed to, and our minister went and disagreed.

Yet they have the nerve to point out in the Throne Speech that they are going to come up with a revision in estate laws concerning the rights of children and spouses and property matters. How can they talk about doing this, which is long overdue, and at the same time veto these necessary improvements in the Canada Pension Plan. Of course, I suspect in this instance it wasn't so much a matter of what has been termed welfare bashing and so on, as much as a total failure to comprehend exactly what it is they were talking about.

**Mr. Warner:** Mainly because of the minister.

**Mr. S. Smith:** The Ministry of Health, according to the Speech from the Throne, will therefore concentrate on improving the provincial health system. Well my God, that's a sick joke! That must be the sickest joke of the year.

They are concentrating on improving the provincial health system. Would they please do us the favour of concentrating on improving something else? If they improve this any more, it will be a complete disaster. This is the kind of improvement which took place at Hiroshima.

**Mr. Lewis:** That's what I meant about hyperbole. I would have said Nagasaki.

**Mr. S. Smith:** I want to make clear some statements that I have made in this regard. I tried to clarify them in the House the other day and I really want to make it clear now. Let me give a little background.

The health system in this province has grown like Topsy over the years, with election largess on the part of succeeding Premiers and government ministers offering a hospital here and a clinic there and a hospital somewhere else, so that beds were eventually created throughout this province in a very haphazard way with no logic and following no plan, despite the fact that the ministry itself has many times sent reports up to the minister pointing out the potential for abuse in the private lab system, the extent of unnecessary surgery, the fact arm's length transactions were not occurring in that system, and so on. They have also pointed out that in many instances there are too many acute beds which has encouraged the doctors in these areas to utilize them without the degree of efficiency they should have used, while other parts of this province, such as the Ottawa region, actually had too few hospital beds.

Even if they had a lot of money, the truth is they really have to go about cutting some of those acute hospital beds, but they have to do that in a sensible way. They have to do that by cutting them mostly in the places where they're not going to destroy the economy of the whole town. They have to cut the large hospitals in the larger cities. They have to cut in a way where the community impact is taken into consideration.

In addition to that, they have to make sure there are alternatives. Sure in some northern ridings, for instance, the doctors may keep people who are not all that sick in hospital

beds, but that's because the alternative might be to have them out in some distant place, very remote, away from services. Consequently, it may be necessary to use a hospital bed longer in a northern riding than it might, for instance, in the city of Toronto. These are the kinds of considerations which are not given sufficient attention by the government.

When I saw the Minister of Health (Mr. F. S. Miller) go around the province closing small hospitals, I was horrified. I stated so right after the convention at which I had the privilege of being elected leader of this party—although I was, as many of you have noticed, rather exhausted. I still made a point of immediately going to Woodstock, to the private lab. I went to Goderich to see the psychiatric hospital, and so on.

**Mr. Lewis:** I have never felt better myself. I am not tired at all.

**Mr. S. Smith:** At that particular time I came on very strongly against the closing of these small town hospitals. I tried to point out to the minister that the proper way to do these things was to cut the budgets of some of the larger city hospitals and get together with people in the various municipalities and say: "Look, we have to save money now. How about sitting down and working out a way that we can do it?"

What happened? The minister finally brought in a change. He did cut some beds and some budgets in some of the larger city hospitals. I held a press conference and congratulated him for finally doing what he should have done in the first place. I haven't lived that one down, unfortunately, because it was taken somehow to mean that I was congratulating him for closing the small town hospitals; and nothing can be further from the truth. Apparently some media reporters have reported it in that way; and I'm very upset about that because it is totally untrue. My position has been consistent from the beginning.

**Mr. Lewis:** Well, you know the media.

**Mr. S. Smith:** And my position has been that the small town hospitals, and those that service particular groups in society in this way, have no business being closed down. That is my point of view, and always has been.

But I want you to know that where there are too many beds in this province, and where the government does have some obligation to cut some of these beds down, let's



remember who created the problem in the first place.

Just remember that it was Eric Winkler building a hospital in Hanover that now causes the death notice to be given to Chesley and to Durham.

Let's remember that at the Northeastern Regional Mental Health Centre, that particular hospital was over-built the very first day. It was twice the size it needed to be and many representations were made to this government over the years to try and find multiple uses for that building. In fact all that happened was these were ignored; the building continued to exist and be cleaned and heated for the years. It was called the "Timmins White Elephant", according to the people up there; and everybody knew that.

Then the Minister of Health turned around one day, advised by some civil servant, and said, "Hey, you guys have a lot of empty beds there. You're half empty. We're going to close you down." What a way to operate that is! What an absolutely vacuous way of trying to establish a proper mental health system.

And listen to what they're doing between Timmins and North Bay. They are taking the chronic psychiatric cases at Timmins and sending them down to North Bay. Then the idea is to take the mentally retarded from North Bay and send them up to Timmins. This is presumably in line with the need to keep people in close contact with their communities. Presumably it is a line with a need to keep people close to their families so that families can visit—this taking the retarded and putting them hundreds of miles away and taking the chronic psychiatrically ill and putting them hundreds of miles away. Absolute idiocy is the only way to describe that particular move at Northeastern.

Now they go on to say in the Speech from the Throne: "Stricter meat inspection and improved livestock and poultry protection will be enforced."

All that does to me is frighten me. Is the government not enforcing its provisions now? Is this a threat to the Province of Ontario that you're actually going to start enforcing your law? I encourage you to do so by all means.

They go on to say: "The judiciary will be expanded to meet the backlog . . ."

**Mr. Lewis:** You will notice all the positive suggestions that are coming. Where are the jobs?

**Hon. Mr. Davis:** They are coming.

**Mr. S. Smith:** I am very pleased that the Attorney General (Mr. McMurtry) is going to increase the number of judges. Our own Justice critic has called for this for a long time.

Interjection.

**Mr. S. Smith:** But when I pointed out the terrible backlog in Hamilton, when I drew his attention to the fact there was unconscionable waste—

**Hon. Mr. Davis:** Who is your Justice critic?

**Mr. S. Smith:** —in the Hamilton court system, and the same was true in Toronto and Ottawa, his statement was: "I cannot take the hon. member seriously."

**Mr. R. S. Smith:** Where is your Attorney General?

**Hon. Mr. Davis:** He is having a press conference outside.

**Mr. S. Smith:** Hopefully, the government will begin to take it seriously. Hopefully, it will begin to do something about the administration of justice in this province, which has reached an absolutely new low when the Attorney General has to go before the people of Ontario and beg them to accept a modified form of plea bargaining. It's an admission of total incapacity on his part, actually, to deal properly with a system of justice in this particular province.

**Hon. Mr. Davis:** That's really very silly.

**Mr. S. Smith:** The Minister of Energy (Mr. Timbrell) has thrown a goody in for us. He is going to upgrade insulation and energy conservation in public buildings.

**Mr. Martel:** Right away.

**Mr. Reid:** It's better than putting your sweater on, I guess.

**Mr. S. Smith:** That's the Tory energy policy for the year 1976. They are going to insulate government buildings.

**Hon. Mr. Timbrell:** Where is your policy?

**Mr. S. Smith:** We have to devote ourselves—

**Mr. Shore:** When we get over there we will tell you about it.

**Mr. S. Smith:** —to the establishment of renewable sources of energy. How can this

government continue to carry on in this way, as though we were not facing the greatest crisis in the history of our country? A total of \$5 billion will have to be paid for energy alone in terms of our balance of payments; \$5 billion will be added to that deficit in a few years time. What work is this government doing on alternative sources of energy?

Do members know that if a person now wishes to put in a solar unit, to use solar heating in his own home, this government has it set up in such a way that he actually has to pay taxes on that improvement to his home, instead of being rewarded and being called a man ahead of his time and being thanked for this? Instead of encouraging it they actually tax him.

**Mr. Lewis:** A solar unit?

**Mr. Nixon:** Shame; that's regressive conservatism.

**Mr. S. Smith:** In fact what they are going to do is insulate public buildings. I am delighted to hear that. That's a good idea.

**Mr. Good:** What they need is a padded cell in some of them.

**Mr. S. Smith:** We hear about the need for restraint. Ladies and gentlemen, we all ran for office the same time as the others here and we heard our leader at the time speak of the need for restraint, speak of the fat that was in government—

**Hon. Mr. Davis:** Now you are getting personal.

**Mr. S. Smith:** —speak of the extra civil servants whose jobs should to be made redundant; we heard that.

**Mr. Bullbrook:** What did you do? You gave us Lorne.

**Hon. Mr. Davis:** I am still waiting for your energy policy. The member for London Centre (Mr. Peterson) has the energy policy, hasn't he?

**Mr. Peterson:** Sure I have.

**Mr. S. Smith:** What does this government do? This government, instead, chose the giveaway route. It chose the giveaway route. It chose to give away \$86 million for home buyers. It chose to give away \$44 million for automobile sales tax rebates so people could buy American cars—and, presumably, increase employment in the United States, possibly—and Japanese cars.

**Mr. Lewis:** You supported it. You supported all of it.

**Mr. S. Smith:** It chose—

**Mr. Cassidy:** You are going to support them now.

**Mr. S. Smith:** It chose to give away a two per cent sales tax reduction which cost at least another \$330 million, possibly more than that.

**Mr. Lewis:** You supported it.

**Mr. S. Smith:** This particular government would have us believe that at the time it made these giveaways, at the time it gave away \$460 million to win the last election with a neat little gimmick which came to an end just after the election—

[3:45]

**Mr. Lewis:** We all supported it.

**Mr. S. Smith:** At that particular time the government would have us believe that between then and the time the election took place and the Tories woke up and found themselves in office, a sudden bolt of lightning hit them. It suddenly occurred to them: "My God! We are short of money, we must show restraint."

It really hit them. They suddenly decided there are some interesting ways to show restraint, and the chief way in which they are showing restraint is to limit the amount of money the municipalities can get for programmes the municipalities are already hooked into. Having been misled by these giveaways, having been misled by the fact that the Treasurer (Mr. McKeough) pointed out that there was a need to expand the economy at the time, the municipalities accepted higher wage settlements and they accepted certain transportation programmes. They are forced, in a time when the economy is in trouble, they are forced by statute to provide for the needy, to furnish welfare assistance and so on. And the Treasurer has decided that he's going to help them cut back. He says to the Good Roads Association:

Certainly the limits we've imposed make life unpleasant and difficult for councillors, and perhaps for some of their constituents. But there is no reason for anyone to suffer hardships.

What an inflammatory and absolutely empty statement that is. As I said elsewhere, if that man were the captain of the Titanic, he'd say: "Don't worry, we're just stopping for ice."



It's really quite pathetic. I'm still quoting from the Treasurer and he's speaking of the municipalities. He says:

They can cut out the non-essentials; they can postpone projects that have no urgency; and they can reduce their administrative overhead, including their own bureaucracies. They can do all these things.

But when we called on this government to do exactly the same thing during the last election, they claimed we didn't know what we were talking about. "What fat in government? What extra civil servants? What administrative waste?" What could we possibly have been referring to, they said. After all, all we had to do was look at Ottawa, where admittedly there's the same problem with bureaucracy, but they were just absolutely Simon Pure here in Ontario.

**Hon. Mr. Davis:** Quite right.

**Mr. S. Smith:** Sure they were; and that is why the Treasurer is now able to come before the people of Ontario and say:

In our overall view of government spending, we are well aware the possibilities for savings exist within the civil service, as we all know bureaucratic structures have a natural tendency to perpetuate themselves and to proliferate even after their original purpose has been served. Many of the bureaucracies that were set up to manage the programmes and priorities in the 1950s and 1960s are still with us in the 1970s, even though the public priorities have changed from the original programme to become less important or even obsolete.

For instance, while new highway construction has declined, the number of staff supporting capital construction have been maintained. Similarly, administrative support for elementary and secondary education, that is the combined strength of the Ministry of Education and local school boards, has risen even though school enrolment has begun to drop.

Does that sound familiar? When my leader at the time was bringing to the attention of the people of this province the waste in administration in the various aspects of education of this province, he was being laughed at by members opposite and being called a number of names by members opposite. Now the Treasurer himself admits the facts in evidence in that system.

**Hon. Mr. Davis:** I never called him names.

**Mr. S. Smith:** The cynicism of going to the people on an election platform in which they

claimed the economy was just dandy and we could afford giveaways of this kind. They gave away about \$460 million and denied there was any fat in the government. Now they turn around and want the people of Ontario to believe these are the people to impose restraints.

It reminds of a situation where somebody might come to your house and decide to sell you some carpet cleaner and demonstrate it by spilling it on your carpet. It would eat holes in the carpet and destroy the carpet, shrivel it and unravel it. They'd come back the next day and say: "Fortunately for you we are now in the business of selling new carpets."

We might at least be thankful, I suppose, that they were no longer in the carpet cleaning business, at least they had that much insight. We could be grateful for that and we'll accept repentant sinners back into the fold. But nobody would buy a new carpet from these people. They would have us believe that we ought now to elect them on the basis—

**Mr. Lewis:** I wouldn't even buy a used carpet from you people.

**Hon. Mr. Davis:** We wouldn't sell you a used carpet.

**Mr. Lewis:** Then we are even on it.

**Hon. Mr. Davis:** However, it might be more interesting.

**Mr. R. S. Smith:** You are both a pair of carpetbaggers.

**Hon. Mr. Davis:** Carpetbaggers? Look who is talking about carpetbaggers.

**Mr. S. Smith:** Let me say a few words, again on the subject of municipal finances.

**Mr. Lewis:** Going to be difficult for us to support the Liberal amendment.

**Mr. Drea:** What makes you think there is going to be one?

**Mr. S. Smith:** The key plank in the Conservative platform for the 1943 election was the promise to reform the municipal tax system. It has been said in the report of January, 1974, by that very subversive group, the Ontario Economic Council, that the province's record in municipal reform has not been impressive when measured in terms of time. It should be remembered that the major plan of the government in 1943 was the reform of the municipal tax base. More than 30 years later the reform is still not resolved.

**Mr. Singer:** The Premier himself was complaining about it this afternoon.

**Mr. S. Smith:** Now we have the pathetic spectacle of the Treasurer deciding to burden the municipalities with more in the way of property tax in order to pay for his giveaways before the last election. It just about fits exactly. The \$460 million given away before the last election by the Treasurer of this province—

**Hon. Mr. Davis:** Which all of your colleagues supported with enthusiasm.

**Mr. S. Smith:** —that particular programme of the Treasurer of this province—

**Hon. Mr. Davis:** They all supported it with enthusiasm.

**Mr. S. Smith:** —in fact has allowed for \$50 million in hospital savings that have to occur and—

**Hon. Mr. Davis:** With limited enthusiasm.

**Mr. Peterson:** I think Bob died.

**Mr. S. Smith:** —a 15 per cent increase in municipal taxes across this province will come approximately to \$300 million. It fits very nicely. So remember, citizens of Ontario, when you and I receive our municipal tax bills some time this spring—

**Mr. Nixon:** Some time in May.

**Mr. S. Smith:** —just remember that what we are receiving at that time is the price tag for the cynical giveaways of this Treasurer in order to purchase the last election.

**Mr. Peterson:** And you and I are paying for it!

**Mr. Cassidy:** You supported them.

**Mr. S. Smith:** I would like to quote from chapter 2 of the report of the Smith committee on taxation—and it was not my committee, as you know; it was that of a much more distinguished citizen. I would like to quote one part:

Because such a large proportion of municipal expenditure is a direct function of economic growth and of its principal concomitant, urbanization, excessive reliance on the real property tax can leave municipal government ill-equipped to meet its service responsibilities. In contrast to that of the senior levels of government, the structure of municipal finance reveals a basic imbalance in that it couples a rela-

tively stable revenue base with rapidly expanding expenditure requirements.

We all know the fallacy of depending on property tax to finance this province; and yet we know that stringent limitations brought in by the Treasurer on the municipalities of the province, forced them, beyond any shadow of a doubt, no matter what kind of cost-cutting they attempt, forced them for statutory provisions alone to increase their municipal taxes and their property taxes. This flies in the face of everything that government knows and everything that government has promised with regard to the role of the property tax base.

The same, of course, holds true of school boards, which are being forced to go to the people for vastly increased sums on the property tax base.

Look at the regional government situation. Here was a chance for the government to introduce a form of decentralization—something we all would have welcomed. Here was a chance to take the bureaucracy at Queen's Park and decentralize it by establishing, closer to the municipalities, the ability to make their own decisions; by giving them the money and the decision-making power to really decentralize Ontario, permitting various groups and various areas to make their own decisions about their health dollars, about their education dollars and about their planning dollars, instead of keeping the bureaucracy here at Queen's Park and giving orders. Regional government was looked on as possibly the way this could be accomplished.

The exact opposite happened. Regional bureaucracies were set up which have taken their power and their money just from the small municipalities. That's where these particular regional bureaucracies have got their power and money. None came from Queen's Park. Not a single person has been let go at Queen's Park because somebody has been hired at the region. For that matter, not a single person has been let go at the lower tier municipality level because somebody has been hired at the region. All that has happened is that regional bureaucracies were set in place which have done some good things, but these bureaucracies have grown in an incredible way, increasing the tax. For instance, you may well be aware that the average residential tax increase in all regions was 28 per cent over the four-year period that these regions were in. That's four times the 7.7 per cent rate which occurred in the same period in the rest of the province. There is a 53 per cent increase in total municipal staff—that's upper and lower tier—in the regions, compared with 15 per cent in the rest of the province.



It is perfectly clear that what has happened is that the regions were permitted to foster their own bureaucracies. In Hamilton they ended up occupying three floors of a huge complex which the government has caused to be built there. They were going to build another city hall for the region because they didn't want to share the one the city had until finally, by bringing it to light, I think we were able to put a stop to that.

This is what has happened everywhere. The experience has been repeated even where people like some of the things about regional government. It has taken government and made it more distant from people. It has added to the cost of bureaucracies in those areas by raising the salary expectations, leaving very few competent people to be hired. The municipalities now compete with the regions for these people.

There has been no provision made to lower the bureaucracy at the lower tier when you add one to the higher tier; and certainly decentralization is long gone. Queen's Park has not decentralized one iota of decision-making power or of money closer to where people are.

That's why, today, people I speak to feel extremely distant from the process of government. That's why they feel it is like a big elephant that you can shove and push and prod, but you have no effect on it. That's why you get situations like the Minister of Health sending out a direction to shut this place down or close that one rather than doing the only decent and intelligent thing, which is to go and have consultations with people.

This government has forgotten how to consult with people. The Minister of Health says in answer to this charge: "Well, there is no good way to give out bad news. If I had gone there and told them that there's a problem and asked them their opinion, it would have caused a tremendous amount of difficulty. It would have caused all kinds of flak." I think those were the exact words.

Interjections.

**Mr. S. Smith:** You are darn right it would cause all kinds of flak, but that's the process of discussion. When this government is fearful of engaging in discussions, when we have the spectacle of the Minister of Health threatening to tell the people in Woodstock at a press conference how he is going to save money there when they were begging and pleading with him to come to a meeting to explain this, then we have reached a pretty sorry state of affairs in the Province of Ontario.

This brings me to a situation in which I would like to move, Mr. Speaker—

**Mr. Deans:** That's it?

**Mr. S. Smith:** Three hours are okay for some people with such amazing talent, but I am going to stick to a relatively brief one.

**Mr. Lewis:** At least we made some concrete suggestions. There was not a single suggestion in the entire speech.

**Mr. Reid:** Are you getting your excuses ready not to vote for our amendment?

**Mr. Lewis:** I haven't heard it yet; but I have no enthusiasm for it.

**Mr. Speaker:** Order from the member for Rainy River; order.

**Mr. S. Smith:** Listen, would you, sir, to this. These are the people with the constructive suggestions?

**Mr. Deans:** That's right.

**Mr. S. Smith:** These are the people who have not told a single person working for government that under an NDP government they might in fact lose their job; as yet nobody has been told that. Every meeting NDP people have gone to they have said: "In your case, you shouldn't have to lose your job. You might lose it under the Tories. I can't guarantee that you won't, I must tell you that, but that doesn't mean you would lose it under an NDP government."

They have not said which jobs would be lost under an NDP government. I have been to some of the meetings in the company of some NDP members where they stood up and berated me because I said to some whose jobs are redundant: "Look, unless you want a socialist government, some jobs are going to have to be lost here."

There's the difference between us. The member for Hamilton East (Mr. Mackenzie) stood up at a public meeting and said: "With me, brethren, there is no such ambivalence as there is with the leader of the Liberal Party." No jobs would be lost, said he, under an NDP government.

They are not for restraint. They are basically in favour of increasing royalties and increasing corporation taxes; they feel they can continue this drift toward the public sector taking over everybody's life. They do not have the courage to stand up and say which jobs will be lost, and that's why there is the kind of fist-shaking that goes on between their union members and

their other members within the meetings of this particular group.

Frankly, I don't know how they go to their large unions sometimes and justify this. Why should the public employees' union have a certain inalienable right never to be laid off no matter how hard economic times may become when steelworkers and mine, mill and smelter workers can be laid off? I have never quite understood that. They're no friend of the working man.

**Mr. Mackenzie:** Go to one of the meetings; then you'll know what it is all about.

**Mr. Cassidy:** You haven't got the same heart when you go up to the Tories, have you?

**Mr. Drea:** Now we know why we need group therapy.

**Mr. Speaker:** Order, please. The hon. member for Hamilton West.

**Mr. S. Smith** moved, seconded by **Mr. Breithaupt**, that the amendment to the motion for an address in reply to the speech of the Honourable the Lieutenant Governor be amended by adding thereto the following:

And this House further condemns the government:

1. For its financial irresponsibility in forcing Ontario municipalities and school boards to increase inordinately the property tax on homeowners and tenants;

2. For its illogical decisions in ordering hospital and laboratory closings without any apparent regard to efficiency and economy of their operations and to the importance of these institutions in the lives of communities in which they are situate;

3. For its lack of effective planning in its restraint programme which has resulted in punishing financially those least able to afford it.

**Mr. Reid:** Put up or shut up.

**Mr. Lewis:** On a point of order.

**Mr. Singer:** Sit down.

**Mr. Reid:** Out of order. Are you going to turn yourself into a pretzel again trying to get out of it?

**Mr. Lewis:** No.

**Mr. Deans:** It's not an amendment.

**Mr. Lewis:** I'm on a point of order, Mr. Speaker.

Interjections.

**Mr. Speaker:** Order, please. We will hear the point of order before I place the motion.

**Mr. Lewis:** You're all so frantic and anxious about what we're going to do it's almost unbearable.

**Mr. Nixon:** You are the one up on a point of order.

**Mr. Lewis:** Mr. Speaker, I want you carefully to evaluate that subamendment, because it is my clear impression there is absolutely nothing new there. It is entirely redundant.

**Mr. S. Smith:** Utter nonsense.

**Mr. Lewis:** It's all in the amendment that was originally moved. This is clearly—

**Mr. Singer:** Did Renwick advise you about that? Did Renwick ask you to do that?

**Mr. Speaker:** Order.

**Mr. Reid:** You had better go to the—

Interjections.

**Mr. S. Smith:** Are you afraid to vote on it?

**Mr. Lewis:** Certainly not.

**Mr. S. Smith:** Well then sit down and vote on it.

**Mr. Lewis:** I just want to point out its redundancy, Mr. Speaker. You take a look at its redundancy.

**Mr. Deans:** We want a ruling on it.

**Mr. Nixon:** Mr. Speaker, at the time you are examining that, I hope you will also examine the rights of the parties in this Legislature to put forward their amendments in terms as they see fit, which reflect their philosophical views in the matters in which they have most direct concern.

**Mr. Deans:** On the point of order, I put to you, Mr. Speaker, that in order for a subamendment—

**Mr. Bullbrook:** Mr. Speaker, you're not going to take this fellow seriously?

**Mr. Deans:** In order for a subamendment to be considered proper, it must not deal with exactly the same matters that are contained in the amendment.

**Mr. Bullbrook:** This fellow is not Stanley Knowles, you know.



Interjection.

**Mr. Lewis:** Point of order, I guess what I was saying in the point of order—

**Mr. Speaker:** Order please; order please. I think there is no point of order.

**Mr. Singer:** You know Renwick can do better. Get up, Jim. Let Renwick get up.

**Mr. Lewis:** Mr. Speaker, there is—on a point of order.

**Mr. Deans:** There is.

**Mr. Speaker:** Point of order, we will hear you.

**Mr. Singer:** Let Renwick tell us it is the worst amendment he has ever heard.

**Mr. Speaker:** I would like to hear the point of order.

**Mr. Lewis:** What I was saying in the point of order, Mr. Speaker, is that since the sub-amendment simply conforms to the amendment, it's clearly supportable by the official opposition—

**Mr. Singer:** You said that before.

**Mr. Lewis:** —as it obviously is by the Liberal Party. I am not here to play games with it. I said that yesterday.

**Mr. Singer:** You are bleeding, aren't you, Stephen? That is too bad.

**Mr. Speaker:** Order please, order please. I might say that on this short notice I am not able to discern the fine points of the blue-prints.

**Mr. Lewis:** There is no fine point.

Interjection.

**Mr. Sweeney:** You should have no trouble supporting it.

**Mr. Speaker:** I will place this—order please. I will allow the motion to be placed.

Do we have the next speaker, or do we have a motion to adjourn the debate?

Hon. Mr. Davis moved the adjournment of the debate.

Motion agreed to.

**Mr. Lewis:** Are you calling it tomorrow or shall we wait until April 5?

Hon. Mr. Davis: I don't know; do you want the midterm break?

**Mr. Speaker:** Orders of the day.

**Mr. Reid:** Quit posturing, Stephen. You make Hamlet look decisive.

**Mr. Speaker:** Order please. Could we get on with the orders.

**Mr. Lewis:** There is no posturing. You people know what is happening. You expected us to back down? We won't do so. Don't be so silly.

**Mr. Reid:** You make Hamlet look decisive.

**Mr. Singer:** Why are you bleeding so visibly, Stephen?

**Clerk of the House:** The 22nd order, House in committee of supply.

# SUPPLEMENTARY ESTIMATES, MINISTRY OF HEALTH (continued)

On vote 2903:

**Mr. Nixon:** At the adjournment last night I was bringing certain matters to the attention of the Minister of Health (Mr. F. S. Miller) and interested members pertaining to the announced closure of the Willett Hospital in the town of Paris in my constituency. I know the minister perhaps feels he has heard just about enough on a subject such as this, but he understands the importance of his decision to the people in the community of Paris and the surrounding district.

One of the things the minister put to the delegation from Paris which concerned me deeply, and I believe he made the statement in the presence of the Premier (Mr. Davis), was that in Brant county there was a hospital utilization 15 per cent greater than the provincial average.

I must say I found the figure surprising and perhaps even shocking. A first reaction is perhaps the people up there, compared to the provincial average, are not as well. The minister, having once lived in the community, knows, however, that's not a fact.

The second reaction is that perhaps the population statistics upon which the utilization figures are based were out of date. The minister has assured myself, and the delegation, including the mayor of Paris and others, that his population statistics are appropriate. We must accept the minister's assurances in that regard, although he has looked at alternative figures and has not yet decided, or given his personal judgement, if he ever does in that connection.

The one thing, however, that I feel I should put before the minister is that perhaps

a different style of medicine is practised in the Brantford, Brant county area, and in many areas far removed from the large metropolitan centre. The minister knows that if you require the services of a medical practitioner in the night or at an inconvenient time in the metropolitan area, it is practically impossible to get those services. You've got to bundle yourself into a taxicab and go down to one of the major Toronto hospitals for care on a catch as catch can basis.

The minister, coming from a small community himself, knows that medicine is not practised that way in Paris, St. George, Ayr and the communities that are served by Willett. The doctors there know their patients and their families on a personal basis. They are readily available by telephone. Probably admissions to hospitals, and many of the decisions taken with regard to the practice, are perhaps not quite as cold-blooded as they are in certain other areas. The doctors have a personal concern for the welfare, comfort and health of their patients. This might very well have resulted in a larger percentage of admissions than the provincial average.

The minister perhaps recognized that difference when he said, and I don't believe it was in private, and I think the minister's objections in that regard are well taken, that he does not have confidence in the judgement of the medical practitioners to exert what he considers to be their responsibility to see that no patient is kept in a hospital bed for longer than is medically supportable.

I believe the difference, however, is in what is medically supportable and what is the individual judgement of the doctors concerned. I would say to the minister something that he must already know in his heart. A different kind of medicine is practised in those areas where the doctors have a personal knowledge and concern for their patients as individuals and not just as OHIP numbers.

I wish the minister would think about that, and realize that when he is prepared to cram the medical practitioners into some sort of a uniform cookie cutter across this province it is going to be extremely difficult in those areas which have different traditions.

I don't want to dwell on this unduly. The minister has had the statistics brought to his attention. He and others would be quick to tell me this is not my forte. I am convinced, however, that the utilization of the facilities is extremely good. The minister knows the Willett Hospital had some difficulties in its administration three to four years ago. These have been cleared up and we are well administered. If he compared these statistics

with any other facility of a comparable size, we compare very favourably indeed.

I don't believe that is going to make any difference to the minister, since I have heard the debate with reference to other hospitals which shows that it does not seem to be a criterion of the administration on this whether the efficiency of the hospital is good, bad or indifferent. It seems to be simply the choice falling on a facility which can be closed without too much political repercussion.

I would say in closing that my strong submission to the minister is that to go ahead with the closure of the Willett Hospital, and in fact bring out the plywood boards and board up the windows in that hospital, would be an unwise decision.

He is aware of his traditions. While he is concerned with them, I don't believe those matters are going to affect his decision in the long run.

He is aware this hospital is still being paid for by the local taxpayers, paying off a debenture entered into with full concurrence of the minister's predecessor and the OMB. While he is concerned with that, I don't believe it will affect his decision at all. I really do not believe it will affect his decision.

Two things, however, should affect his decision. One is his undoubted knowledge of the requirements in the smaller communities of the Province of Ontario to have this sort of a facility on a continuing basis. If, in his judgement, it is necessary to reduce the activity of the Willett Hospital so that it is either entirely or largely chronic in this area, then we will have to live with that decision. To completely close it up, throwing 100 people out of work and leaving Paris, a town with a population of over 6,000, to find alternative care, is a decision which will have far-reaching and very serious ramifications.

[4:15]

I would ask the minister to give consideration to the position put by the representatives from Paris, who are certainly willing, if not anxious, to administer the hospital with a reduced level of active treatment. The minister has indicated he might continue it as a chronic facility and he is aware that the statistics available now show there is a need for chronic facilities in the Brant county and Brantford area.

There is a continuing study, chaired by Mr. Mark Lefebvre of the city of Brantford. At least we should hold off on a final decision until the findings of that review are available to the community and to the minister. The cut-off date of April 1 is obviously



not obtainable at the present time and I would hope that any further action by the ministry would wait until the reports are available. I personally believe these reports will make it as clear as anything can be to the minister—who in the last analysis must make the final decision—that the Willett Hospital should continue, if not as an active treatment facility at least as a facility in the community of Paris and Brant county, which commands the respect of the community and which can be proved to effectively and efficiently continue serving the medical needs of the taxpayers, the citizens and the people in the area of Brant county.

**Hon. F. S. Miller:** Mr. Chairman, the arguments on population figures, of course, can be used for almost any point in the province. It is difficult, in a province growing as rapidly as Ontario is growing, to have up-to-date figures when there is usually a one or two-year delay in Statistics Canada or TEIGA figures. The only thing I can point out is if I say to you that 191 people per 1,000 are being admitted to hospital in Brant county, then that's on the basis of figures which compare to any other region in the province.

In fact, if there is any error in those statistics it's probably in favour of Brant county as compared to, say, Metro Toronto where a quarter or more of the residents of the Province of Ontario live; it would tend to shade it that way.

But even if one simply compares it with central west region, which is in the general geographic area of Brant county, then you could pull 10 per cent higher. So one still has to allow for the fact that rural medicine, if one wants to put it in your terminology, is being practised in that general area, and Brant county still exceeds the provincial average by that amount.

It ties very nicely in with the comments made by your new leader and by the leader of the NDP in the last couple of days about unnecessary surgery. What are people being admitted for? One has to look into that. If, in fact, the admission is high, it's an indication that the elective surgery rates are higher, because one assumes the incidence of acute disease is somewhat similar in most parts of the province, age-weighted as they probably are. So I think it's safe to say that the figures are as realistic as we can use for admission.

I'm intrigued to think that Brantford is far removed from the metropolitan areas of Ontario. I thought that Hamilton, which is a fairly large area, was close. I've lived in

Brantford, I've had that pleasure. I must say to you that I probably enjoyed living in Brantford.

**Mr. Nixon:** On Paris Rd.?

**Hon. F. S. Miller:** On Paris Rd.

**Mr. Nixon:** Such an irony.

**Hon. F. S. Miller:** I can't be accused of being unfamiliar with the area when I lived on Paris Rd., part way between Brantford and your other city. I have a very real love for the area. I thought it was just a great place to live and I still do.

April 1, of course, is not a date that's going to be met. It can't be met nor would I expect staff to be making those final moves or winding down of operations until we've had the opportunity to reply to the very thoughtful briefs brought to me by your hospital administrator, the chairman of the board, and the mayor, His Worship Mr. Bawcett—who as you know was in to see me again today for an hour or so presenting various thoughts on alternatives to the existing function.

I'm going to look at alternatives to the existing function of that hospital very carefully. I don't want to jump to a conclusion that could be shown to have been totally wrong six months from now. It may well be that the hospital has alternative uses such as you suggested in the five minutes of your speech last night prior to the adjournment of the House.

I believe, in all honesty, that the provision of employment in the community of Paris looms high in the minds of those people who came to see me today, as well as the provision of health services. They recognize the problem I am dealing with is a Brant county problem as well, but specifically aimed at the city of Paris, in terms of effective change. I am going to think carefully about their suggestions. I am going to think carefully about your suggestions. If I read them right—and you should really tell me if I am wrong—you said a chronic hospital was better than no hospital.

**Mr. Nixon:** Yes.

**Hon. F. S. Miller:** That is one thing I am going to keep in mind. We have already established that a number of the active treatment beds in the city of Brantford are being used by chronic patients. However, if our final analysis tells me there is not a need for extra facility beds in the area, I can't just make work. In other words, I have to fill a

justifiable health need to keep the facility in any role at all. It would be so easy to make work, that I must say that the dollars I am spending can be well spent in other places, meeting needs. If we put down as the first prerequisite the fact that we must meet a need for Brant county, and if we can prove that the use of that facility would meet that need and must be there in place of facilities in Brantford, then we have a chance. That is exactly what I am looking at.

**Mr. Nixon:** Mr. Chairman, if you will permit just this one further comment: The minister asked me to clarify whether I thought a chronic hospital was better than no hospital and I have no hesitation in saying, yes, of course it is. But the minister must be aware of the feeling of the hospital board that once they lose their active treatment capacity, in fact they are not a hospital at all.

I simply ask the minister to give every consideration, as well, to the proposition put forward by the delegation from Paris, which is quite prepared to accept the responsibility for the administration of a hospital which is a chronic hospital; asking that we maintain our ambulance service and, if possible, an outpatient clinic facility and an emergency service which would at least give us the nucleus of hospital facilities maintained in the town of Paris.

I am glad to hear the minister respond so reasonably to the requests and the submissions from the delegation from Paris and to my comments made in the House. I believe that is the first ray of light leading to some optimism that we have had since the notorious Tuesday when the hon. minister came to pass on the bad news.

**Mr. Grande:** On a point of order, Mr. Chairman.

**Mr. Chairman:** The hon. member has a point of order; will he state it?

**Mr. Grande:** Mr. Chairman, I noticed that the Minister of Health is answering the questions of all the other members when they get up to speak; I don't know whether he has refused to answer my questions?

**Mr. Chairman:** I was under the impression there was going to be further discussion on Doctors Hospital. Was it your intention to deal with them all at one time?

**Hon. F. S. Miller:** Mr. Chairman, I think I should point out to the hon. member that it is not always the custom of the minister to answer each individual speaker in the

estimates debate. In fact, whether I liked it or not, the chairman last night recognized another speaker and I was quite willing to abide by his ruling. I would think, though, that in the course of the balance of today there will be other comments on Doctors Hospital and perhaps one summary of a number of speakers will suffice.

**Mr. Kennedy:** Mr. Chairman, I wanted to speak for a minute about the situation with the Mississauga Hospital. I have a letter dated March 9, received from Glen Bryce, one of the directors, and the covering letter said, "It would seem that our present hospital beds provide for less than half the required beds suggested by provincial regulations. Our new addition is very necessary."

I'll just go back for a moment, Mr. Chairman. The need for expansion started in 1970. There was a proposal then and they commenced to develop the project. In November, 1975, our population was 234,975, as is contained in the material provided, of which I sent a copy to the minister. We provide for that population—say, 235,000—plus what comes from other communities on occasion.

But in addition, I think a significant portion of admissions are due to such things as accidents on busy highways which run through Mississauga. This, of course, is a very difficult area to provide for in utilizing whatever reference material or standards we have in developing the number of hospital beds needed.

I am going to touch on a couple of things. The emergency visits, of which I have spoken, were 8,197 in 1963. In 1975 these increased to no less than 63,843. Radiology exams went up from 14,303 to 59,140. Lab tests increased from a rounded 95,000 to 840,000. That is a dramatic increase in services provided.

This leads to the appendix attached to this report from the hospital board, which refers to the Ministry of Health planning guidelines. Active treatment beds are shown as medical, surgical, paediatrics, obstetrics at four beds per 1,000. For psychiatric beds, two formulas: 0.6 beds per 1,000 population over 15; 0.42 beds for general population. Chronic beds, again two formulas: one bed per 1,000 for the general population; 11.9 per 1,000 over the age of 65. Nursing homes: 3.5 beds per 1,000 per general population. That latter isn't in reference to the general Mississauga hospital, but in the early release of patients it is applicable. I understand all this adds up to some nine beds per 1,000.

I was wondering if these guidelines under which the board is working conform to cur-



rent guidelines, or whether there have in fact been reassessments since these statistics were gathered by our local hospital board.

**Hon. F. S. Miller:** Mr. Chairman, as far as I know those are the valid, up-to-date guidelines. We have been aware that some of the high growth areas around Metro Toronto, and yours is one, have been operating with fewer than the four beds per 1,000; and, interestingly enough in many cases operating very well. It is one of those issues that has made us wonder, because that number is purely arbitrary, whether in fact it is still too high.

It has been interesting to observe that in high growth areas around the perimeter of the Toronto core some of the more effective management on a medical basis has occurred. Therefore I, for one, am agreeing that these are our current provincial guidelines. I wonder if in high growth areas, particularly those with relatively young population, they aren't too generous.

**Ms. Bryden:** Mr. Chairman, I want to speak only about Doctors Hospital, because it is the one hospital threatened with closing which I have had the opportunity to visit. I know something about its work, but I think what I am going to say is equally applicable to other community hospitals which are under sentence of closure.

[4:30]

I think the minister can only justify the closing of these community hospitals if he can answer "yes" to four questions.

First, are there excess active treatment beds in the area of downtown Toronto or the area of the other community hospitals? The figures are most confused, but so far I have not heard any figures that show there is an excess in downtown Toronto. There may be an excess in the whole Toronto area. It's very difficult to measure the needs of downtown Toronto. You don't relate it strictly to population, because the downtown hospitals serve the whole city and the whole province for certain specialties. But I don't think there has been evidence of a surplus of active treatment beds in downtown Toronto.

The second question: The 12,000 patients who went through Doctors Hospital last year, can the same number be accommodated in the downtown Toronto hospitals that would remain?

If there are no excess beds, the only answer is the minister's contention that those beds now existing could be used more effectively, more efficiently. But, Mr. Chairman,

what he is suggesting is really a gigantic speed-up. We all know what a speed-up means on the assembly line. It means that people are expected to work beyond their physical capacity—that people will not have time to even talk to the patients, that there will be mistakes made. Some of the mistakes could be very serious. It also means that patients will have to wait longer; wait for their bell to be answered, wait in lines for tests. It means that outpatients may have to spend longer waiting to be served.

The third question that the minister must answer: Will there be a real cost saving? I contend he has only looked at the cost of closing a facility, he has not looked at the social costs—the fallout—and they are tremendous.

There will be over 500 people thrown on the employment market. Many of them are unskilled in other occupations; they will require retraining or long periods on unemployment insurance and welfare. Many of them may lose their homes which they have undertaken to purchase in the anticipation that their employment would continue. Their plans for sending their children to university will be destroyed.

The medical and technical staff of the hospital may not be able to find other opportunities in Toronto or in Ontario. We may lose them to foreign lands.

There would be more costs to the people concerned. If they have to go further for outpatient service they will need more taxi fares; and more baby sitting service at home while the person is away a longer time if they wait in queues longer. All those costs increase for the individual and those costs can be very serious; and there's time off work as well as babysitting time.

The fourth question you must answer: Is the closing of Doctors Hospital and the community hospitals in accordance with what I think had been the policy of the Ministry of Health, that is, to start to transform the delivery of medical services to community-based health resource centres.

Doctors Hospital was on the verge of becoming such a centre. It had already submitted a plan a year ago—which had been approved—to reduce the number of beds, to turn that space into a community resource where there could be preventative work done, where family medicine could be distributed in what would be a real community centre.

The hospital already is a very important resource for the ethnic community in which it is located, but it would become much more. It would deliver outpatient and inpatient serv-

ice; and I think the figures on its per diem rates indicate it would deliver them very efficiently, more efficiently than the big downtown hospitals can deliver this kind of community service.

Unless the minister can answer yes to those four questions: That the closing is justified because there are excess beds; that the downtown hospitals will be able to accommodate the 12,000 patients plus the outpatients from Doctors Hospital without a tremendous and inhumane speed-up; that there will be real cost savings when you take into account the social cost; and that there will be no setbacks in the plans to develop community resource centres—unless he can answer yes to all those things, I contend he cannot justify the closing of Doctors Hospital on any ground except what appears to be a purely political ground. And that is the desperate attempt of the government to compensate for past mismanagement of the economy by spectacular cost cuts which will not really be savings; to compensate for past mismanagement of the health delivery system, for letting OHIP payments get out of control with lab fees and excess operations, and so on; to compensate for other budgetary excesses of the government in the entire field of government spending.

It is not planned restraint; it is not a planned redesign of the health system which is long overdue.

**Mr. Sargent:** I acknowledge that most of the subject matter given by my leader and by the Leader of the Opposition (Mr. Lewis) has covered these subjects at hand fairly well. I wonder why, after 13 years in this Legislature, I stand here trying to make a point—but I believe in the system of government generally, democracy.

I have here, again, hundreds of petitions to the minister. Do you know that these people, whose names are on these petitions, and the thousands I gave you before, believe that they will actually mean something and are processed? That they could have an input; that you would do something about the situation. Do they mean anything at all?

The facts and I say this kindly because it is your nature, but you go into an area grinning; you are going to cut their life's blood off and you grin about it as you break the news. Are these people who send in these petitions—thousands of them—just a joke in your mind and in the mind of the government?

I can understand corruption on the part of the policy of this government—the Premier

(Mr. Davis) allows the selling of government contracts to Fidiram for \$50,000. We understand that because it is part of your *modus operandi*.

I can understand the Premier working toward giving a \$41 million contract to his friend Mr. Moog, who I find in the recent figures stands to make \$100 million because of his friendship with the Premier. These things have happened.

What I can't understand for the life of me, is the gall of a government, of a cabinet and Treasury Board, the minister and the Premier who have plundered the treasury of this province to the extent of \$11 billion; that's \$11,000 million in debt we are. The Premier, the Treasurer, the cabinet, were architects of their own disaster; and this minister has to take this out, this plundering, and make the small people, who have no way of recourse, suffer by the loss of their hospital beds.

They pay the same rates for OHIP in the country as they do in Toronto but you deny them of that service. You say: "We will take your money but we won't give you the service." That's exactly what you are saying; it's a form of fraud. You are not delivering; it's nothing else but fraud.

You tell them they've got to close their own hospital. You don't own the hospital. If you had taken Durham or Chesley, that hospital was built by them. I recall as a kid, and maybe the older members in this House will recall it, we used to have "Hospital Days." When we were kids every kid in the class would take a jar of fruit or a can or something to school for the hospital. It was a "Hospital Day." We built those hospitals. They belong to us.

That's what we're talking about people. The government in all its arrogance, having funded to the extent of \$11 billion, is going in debt in the past 365 days at the rate of \$8 million a day. In the hole. That is a fact, Mr. Minister. It's \$6 million a day in debt, and a \$2 billion deficit you have this year; and we have an \$11 billion deficit which works out to \$8 million a day we are losing.

Many of you will have seen the television programme about 10 days ago called "The Insurance Man from Ingersoll." Every person in Ontario who saw that programme knew exactly what they were trying to convey to us. The minister knew that. The Premier knew that. The Attorney General (Mr. McMurtry) knew also. We all knew what was going on, but that is the system. That's the story they tried to tell.

What I'm trying to get across is this. On Sunday night on television they had another



story on the *modus operandi* of this government in land acquisition by the government, particularly a take-off on the Pickering deal. The man in the end said, "We beat the system." We, in the six seats in western Ontario where you know you can't win a seat at this particular time and place, know we can't beat the system. We've tried.

Restraint is the name of the game we talk about. You're going to close six hospitals, nine hospitals or whatever, and the overall policy will put 5,000 people out of work. So, 5,000 homes go down the drain because this Treasury Board, this Premier, and this minister went down the list of things they could attack and saw that the people were vulnerable and they said: "Here is one area where we might look good because hospital bed costs are too much."

I heard the Minister of Labour (B. Stephenson) talking about things like that. They are too high. But, they said: "Here's one area where we can get sympathy from the public. We can talk restraint in health." So, they did this in an effort to recover \$60 million, when a few weeks before they gave \$100 million as a gift to Syncrude.

What for? They said it was a gesture. They gave \$100 million towards a \$3 billion tar sands project which will never come into being in our lifetime. But, you give \$100 million of my money, our money, as a gesture. Who in the hell do you think you are that you can do that? You try to recover \$9 million in the closing of six hospitals, yet you give away \$100 million as a gesture.

[4:45]

Restraint is the excuse of the Premier of this province. He's making whipping boys of the lives of the people, of their health, of people who can't fight back. The minister can well grin, as is his policy when he goes in to cut down these hospitals and cut the life blood out from people.

It's going to cost lives, Mr. Minister. You know that and I know that.

At 2 p.m. yesterday I was told by the deputy treasurer, the deficit in Ontario, this current year, is \$1.976 billion. The government is \$24 million short of \$2 billion. And so to put the finger in the dike, it is going to close our six hospitals for exactly what is being lost in 27 hours in interest charges.

Because of this financial nightmare that Charlie MacNaughton told us about two years ago, the minister has jockeyed us into this position and is taking advantage of the people who can least protect themselves.

He is not closing Brampton. The Premier is standing behind him and he is going to give him an addition, I understand; an addition to his hospital in Brampton. He is going to give himself a new hospital of \$11 million in Muskoka—and he squandered about \$23 million in Sudbury.

I say it is high time we have a truth squad in this province. Why doesn't Norm Webster tell the truth about what is going on here? The corporate people of this province think the minister is doing a good job talking restraints. That's good economics for the corporate group.

Why doesn't the Star tell the truth? Well I will tell you. If we get across to the Ontario citizens the real villain in this whole piece we can show you what has happened here in the past two or three years.

It all started down hill when the Premier and the Treasurer (Mr. McKeough) got their hands in the public Treasury for their favourite programmes.

We recall some time back the trip to Germany when the Premier—and all of his camera crews—went searching for money, which they didn't need at that point they said. This cost us about \$9 million, this caper. We know of the junkets of the Treasurer; and all of the cabinet ministers all around the world. We know of the junket of the Premier to Italy last year. All these things were building up the picture.

Now the Premier's school consolidation programme—does anyone know what that cost? How much did it cost—\$500 million or \$1 billion?

The monstrosity of the thing is not easy to show, because no one knows the direction the government has been going in this tumble down hill. We are closing down schools in the schools consolidation programme with millions of dollars in debentures still owing across the province, but the government is closing down these schools and building new ones. So if the school consolidation did cost us \$1 billion, so be it. The Premier has a monument for himself.

How much did regional government cost—that the Treasurer and Mr. White worked on so thoroughly—\$1 billion? No one knows.

Last year in the budget, we found the government was going to spend \$1.5 billion in land acquisition for parkways. These aren't millions, I am talking thousands of millions of dollars. The budget last year was \$1 billion for the Niagara Escarpment.

The Premier is leaving now, but he knows he gave a grant of \$100 million toward

Syncrude as a gesture; \$100 million toward Syncrude. He can't deny that.

We still continue to open trade offices around the world, in Osaka and in Rome—you name it—with all the lackeys spending millions of dollars. The government is not closing those trade offices around the world, but it is closing my hospital. How do you tell that to the people of Ontario when you have come to the fast-approaching election? But you say, Mr. Minister, that our hospitals are expendable.

Now to get to the real control, to where you had your hands in the Treasury: I have been talking about billions of dollars for the last five minutes—and every word is gospel truth; it was in the budget and you spent it. But to get elected last fall, what did you do? Well you said it would be a good gimmick to remove the sales tax until after the election. So you took that off. And do you know how much that cost us? It cost us \$330 million.

**Mrs. Campbell:** Piled on the municipalities.

**Hon. F. S. Miller:** Who did it cost?

**Mr. Sargent:** Who does it cost? It cost the Province of Ontario \$330 million of lost revenue.

**Hon. F. S. Miller:** Where did it come from?

**Mr. Sargent:** Don't get smart. You know what I am talking about.

**Mrs. Campbell:** The municipalities are paying for it and you know it.

**Mr. Sargent:** You took off the tax on new cars, with a loss of revenue of \$40 million. But you didn't take the tax off trucks for a farmer who needs a truck on his farm; or off used cars for the average guy who needs a car. You just exempted the new cars. You helped the people who have the money. That cost \$40 million to get you elected.

You gave grants to first-time home buyers, and that cost us \$80 million. Even millionaires got that grant.

We went around the province and we estimate, by our very biased arithmetic, that your promises amounted to \$300 million around the province to get you elected.

I asked the Premier in the House one day if those promises were being kept and if the money was going through Management Board or orders in council. No one can find out. But I do know, Mr. Minister, that you spent \$3.5 million in my riding

trying to defeat me; so we are talking millions and billions of dollars.

You have the job—I don't envy your job—to go around the province and say: "Aren't we the great ones? We are going to save \$60 million"; when you know it's a phoney issue; it is corrupt; it is fraud. That's what you are doing.

You know, there are 300 men in my town out of a job because Mr. Winkler was defeated in the election; and many of them are on unemployment insurance and on relief.

Your friend, Mr. Maxwell Henderson—and I quote him here in a story from Kitchener, headed, "Put Your Own House in Order, Ontario"—told about 200 people that the government should have set an example by cleaning up some of the waste at Queen's Park before asking people to tighten their belts. Mr. Henderson said he had already warned the provincial government about the move to cut health and welfare costs before cutting the fat in government spending.

You fellows are still running around in your big chauffeur-driven limousines, but we have got to go on a snowmobile for a pregnant woman to get her to the hospital, because when you close our hospital on April 1, we'll still have 3 ft. of snow up there.

You are going to spend \$14.5 million for a courthouse; go ahead. You are going to put on 40 more judges; God knows how much money you are talking there. But you are closing hospitals. People are still paying OHIP, but they can't use it.

I see the political motivation of this government; where you were capable of criminal acts, of selling the contracts—

**Mr. Martel:** There is no government left after today.

**Mr. Sargent:** Mr. Chairman, I offered to resign my seat; I further offered to bet the Premier \$50,000 of cash money to a favourite charity if he would open up the books and show where they received \$5 million in funds towards the election budget. I said that the majority of that money came from firms having government contracts. He wouldn't take the bet. But the bet still stands.

You can't beat the system. So the Premier says, and the Treasurer says, in going down the list: "Where can we attack and make ourselves look good?" Restraint? "What the hell," he says, "let's turn a negative into a positive. Let's tell a big lie often enough and it will work. We'll be tough on



restraint." And of all places he picked hospitals.

I say to you, Mr. Chairman, it has always been my belief that it is a function of government to see that we have equal allocation of all the resources of this province on a fair and equitable basis; that no man should suffer because of a job or because of geography; and no man's family should suffer in education because of geography; and no one should suffer in health because of geography—and I'll add politics.

The underlying fact is that 5,000 people will be out of jobs and 5,000 homes will go down the pipe. Homes are wrecked and we don't know how many lives this will cost. The underlying fact, I say again, is that this is a moral corruption of decency in our friend, the government. In all my years of politics, I've never seen a government stoop so low that they'll pick on the area of health and lives of people to make political hay.

**Hon. F. S. Miller:** The hon. member has spoken eloquently, and I have no reason to believe he isn't speaking honestly. There is no joke, there is no political game being played. The fact remains that we were able to make contractions within the system without changing the quality of health care.

**Mrs. Campbell:** Who says?

**Hon. B. Stephenson:** The experts who know how to assess health care say.

**Hon. F. S. Miller:** The discussions in your particular hospital's case went on for many many years—not months—long before the final decision was made. It goes back to 1968.

**Hon. F. S. Miller:** The deficit you talked about is an intriguing one. You and I are both in the same business. You're successful, I'm not.

**Mr. Sargent:** You tell that to my bank manager.

**Hon. F. S. Miller:** I will be glad to. My banker still thinks I am. That's one of the lucky things I've got going for me.

But if you and I took a look at the interest on our business debts, we wouldn't think of them as wasted money. If one looked at the accounting of the Province of Ontario, you know as well as I do that capital projects don't show as an asset, they're written off. In many cases, the money is borrowed to cover their useful life so that not just the people paying taxes in a given year pay them. This is true of hospitals, it is true of

major roads, it is true of most capital investments.

The assets of this province that are in bricks, mortar and highways, far exceed the values of the debts against them. If one was preparing a statement, such as Imperial Oil or some other company would make, the assets would look pretty good compared to the debts against them. This province has had a great ability, and will continue to have a great ability as far as I'm concerned, as long as good management persists both in the government and the private sector, to borrow wisely for the things we need today and pay them back over a period of time.

The very actions that were taken by the Treasurer this year in restricting our rate of growth to 10 per cent were based on his assessment that that was the maximum amount we could wisely borrow and finance through a combination of today's taxes and tomorrow's borrowing to sustain the government. Every expert, including Mr. Henderson to whom you alluded, said government must control its spending. This government did. You have disassociated yourself from the federal Liberals but the federal Liberals have not shown that restraint. They have a 19 per cent growth in spending this year versus a 10 per cent for us.

**Mr. Sargent:** You are not close to insolvency?

**Hon. F. S. Miller:** We are not close to insolvency, but we are close to taking as many dollars out of the taxpayer's pocket as he or she should have to pay. These cuts aren't cuts in services.

**Mr. Sargent:** Who put us in this mess?

**Hon. F. S. Miller:** They are cuts in waste because we have learned and produced better ways of caring for people. You talked about "The Insurance Man from Ingersoll." I saw that television production. I don't know how many others in this room did. I think the leader of the official opposition saw "The Insurance Man from Ingersoll." I saw him the day after. I believe the member was rather upset by it. The member was upset by the reports he saw of it.

**Mr. Lewis:** I was upset because it was so antagonistic toward politicians generally.

**Hon. F. S. Miller:** Yes, that's exactly the thing I am going to touch upon. I don't think our party was tarred with the brush of that although it was very specific insofar as going to the Deputy Speaker of this House, and

using him without his permission, I am told, as a prop to make it look as if his party was part of that overall programme. I think the member and his party have every cause to feel a bit taken in by that ploy. I don't think any of us who are politicians are happy when we see the business we are in torn apart by the media with far too credible innuendos easily believed by the public. I am proud of being a politician. I don't suspect the member of dishonesty. I really don't. Stupidity perhaps, dishonesty no.

**Mr. Lewis:** Cupidity for sure.

**Hon. F. S. Miller:** Ah, well we have passed cupid's date. I like to think that in criticizing each other that you may think I am foolish, and that's fair play, but not that I am dishonest or corrupt any more than I believe you are dishonest or corrupt. I just don't believe you are. I am not about to stand up here and imply that you or any members of your party are.

I hear much about savings and where I should make them. Would you agree savings need to be made in government?

**Mr. Sargent:** Your priorities are wrong, Frank.

**Hon. F. S. Miller:** All right. The member has singled out this ministry as if it was the only one making any constraints. I got almost double the percentage of some of the other ministries for growth this year. My budget this year went up \$300 million in a year of constraint. That's 10 per cent of my last year's budget.

I will, as I have told the Treasurer (Mr. McKeough), ask for every necessary dollar to run a good health care system in Ontario. If we succeed, and we probably will, in eliminating unnecessary surgery such as suggested by your leader, where do you think the savings are? Where do we save it? Sure, \$1 will come out of doctors' pockets and \$2 will come out of hospital pockets because that's the ratio of spending. For every dollar that goes to a doctor, two dollars go to hospitals.

Where do the two dollars go? They go to provide jobs for people. If you save two dollars what happens to the jobs? They disappear, don't they?

You are a businessman. I suspect that in your hotel you really don't have too many people on your payroll who shouldn't be there, who aren't producing. Do you hire them because you, the member for Grey-Bruce or whatever it is, feel kind, feel

generous, feel you should prevent unemployment or because you have a job for them?

My measure is this. I will get jobs for everybody in the hospital sector provided they are performing a useful necessary function. I begrudge every job over and above that. I will do my best to keep cutting the number of jobs to the bare minimum because that's what my job is. My job is not to waste taxpayers' dollars.

I think taxpayers are pretty good at spending their own dollars if we leave them in their pockets. Every time we leave them in their pockets and let them spend them their own way, they create jobs in your hotel, in somebody else's farm, in somebody else's manufacturing company instead of you and I lifting it out of their pockets in an involuntary way and making an assessment of where their money should go regardless of their own wishes. So, I don't apologize.

**Mr. Sargent:** May I ask you a question?

**Hon. F. S. Miller:** Let me finish, Eddy. Okay. Ask the question.

**Mr. Sargent:** Mr. Minister, I have three questions. Will you advise me, or tell me why you think it's right that you should be able to have a new hospital in your area? Why can the Premier (Mr. Davis) have an addition to the hospital in his area? And why must two hospitals in my area be closed? Why did you give \$100 million as a gesture to Syncrude?

**Hon. F. S. Miller:** The last question I'm not going to answer. It's not a gift. It's an investment in the energy sources this province needs in the future if we're going to remain competitive.

The first two I'll answer, yes. I think some 60 projects of hospitals around the province—varying from pretty small changes to totally brand new hospitals—are under way this year. I'm asking from you that three cents out of each \$1 in the House will go towards creating new buildings. It would have been exceptionally easy for me—

**Mr. Sargent:** You're getting a billion from Ottawa.

**Hon. F. S. Miller:** Just a second now. I don't get the money for capital projects from Ottawa. You'd better check into that.

It would have been exceptionally easy for me to have cut the capital budget and assumed the savings were made. They are not. Expenses are deferred. And in this day



and age I cannot afford, in a rapidly growing province, to ignore the legitimate demands for service from people in the high growth areas, just because I have a surplus in the low growth areas of the province.

Secondly, my own hospital—first it is \$6.4 million and not \$11 million. Secondly, that hospital was ordered by my ministry before I was even an elected member of this Legislature.

**Mr. Davison:** That's foresight.

**Mr. Sargent:** Why don't you cancel it and save \$6 million?

**Hon. F. S. Miller:** I'm not going to cancel one in my riding any more than I would order it. I'm not going to cancel one in your riding because you're the member, and that's something you've got to get through your head.

**Mr. Sargent:** You are doing a damn good job.

**Hon. F. S. Miller:** I'm not going to cancel some of the projects in your friend's ridings and in this party's ridings because if you look across the 60 hospitals you'll find they are in all of our ridings.

**Mrs. Campbell:** Not yours.

**Hon. F. S. Miller:** Mine is a replacement facility—

**Mr. Breithaupt:** You too can be replaced.

**Hon. F. S. Miller:** —ordered by the fire marshal in 1970-1971. One can document the fact that it was done well before I came along—

**Mr. Sargent:** Would you buy a used car from that man?

**Hon. F. S. Miller:** Yes, a lot of people did. Would I buy used telephone books from you? That's what you were selling the last time—or what was it you were selling? No, no. It was books with recipes, wasn't it?

**Mr. Sweeney:** What's that got to do with hospitals?

**Hon. F. S. Miller:** He's bringing the topic up. He brought up used cars; I can bring up what he does.

**Mr. Sweeney:** That government needs a new recipe; maybe you should buy that book—a new recipe for government.

**Hon. F. S. Miller:** You talked about trade offices. I think we'll skip that because it's

not in my budget. Except I should say that I don't think one should ever try to stop selling this province abroad. The very modest dollars we spend, I think, are genuinely of use to the manufacturers of the province.

You talked about cutting the fat at head office in government. It is not recognized too often that almost 1,000 people have been cut out of my budget—out of my complement alone in a year, I'm told—some 900. Almost another 1,000 will drop in the next year.

**Mr. Sargent:** The Premier still spends \$1 million for his office.

**Hon. F. S. Miller:** I'm just pointing out that few governments of today's vintage have been cutting staff anywhere at any level.

You also touched on election laws and you implied that we were corrupt. That's your privilege. I refer to that in "The Man from Ingersoll." I don't think we are. I don't think we have been. I will tell you this. We have the toughest election laws for fund raising of any province in Canada.

**Mr. Sargent:** Since Fidinam you've had to, or somebody would have gone to jail. That's a criminal act by Canadian law.

**Mr. Chairman:** The minister has the floor.

**Hon. F. S. Miller:** Thank you, Mr. Chairman. I just simply say I live by them, you live by them. I think that we can be relatively proud of the fact that fund-raising for politics is on the up and up and public in Ontario.

Interjections.

**Hon. F. S. Miller:** I would say the NDP profited very handsomely from the latest cause.

**Mr. Martel:** You made sure we couldn't get any money from the unions.

**Hon. F. S. Miller:** Oh. I understand they never gave you any.

**Mr. Martel:** They gave us some.

**Hon. F. S. Miller:** Oh well, just a little bit.

**Mr. Chairman:** I wonder if we could get back to the Health estimates.

**Hon. F. S. Miller:** Voluntarily?

**Mr. Sargent:** Mr. Chairman, can I have one more question? We are having a meeting Friday night to discuss the decision to close down. If we raise \$200,000 locally, could we change the terms of reference and get another \$200,000 from Wintario to keep the

operation going? Would you try to see what you can do along that line?

**Hon. F. S. Miller:** No, Mr. Chairman, the Chesley decision is final.

**Mr. Sargent:** All right. Can we have an outpatients programme?

**Hon. F. S. Miller:** Mr. Chairman, when I talked to the board at the Chesley hospital, I pointed out to them that we would gladly discuss with any group, community, doctors—whatever it may be—the formation of a health service organization in Chesley, but that the initiative needs to come from the community because you have to find people willing to work in that particular organizational form. I am still prepared to have that discussion.

**Mr. Sargent:** How much money is available?

**Hon. F. S. Miller:** There is no cash available for the creation of one but I don't think that's the problem in Chesley. Quite obviously you've got an existing building and you've got funds in the hospital reserve, as I understand it. But the operations are covered by our ministry, the budget is covered.

**Mr. Bounsall:** To the Minister of Health—

**Hon. F. S. Miller:** Who else?

**Mr. Bounsall:** I oppose in every sense the closing of the Riverview Chronic Care Hospital in Windsor. It differs only from the other hospital closings that we have encountered in that it has a one-year delay on it. But it makes no economic sense in terms of saving to the ministry—let us argue on the minister's grounds for a while. Those economic figures have not been quite worked out in detail at the moment, but it looks like the ballpark saving by the route which you have taken of closing Riverview, and let's not get into any discussion of the renovation costs, we are not considering renovation costs at all—would result in a saving of only about \$50,000 or at the very outside \$75,000.

Mr. Minister, it makes no sense at all, of course, to the community of Windsor who have looked forward for quite some time to a new chronic care hospital in Windsor. For many years that chronic care hospital has been sort of number one on the hospital planning council priority. It is not the community's fault in a sense, or their perception of the need for chronic care that in some years, from time to time, it has been surpassed by what has become at the very last minute some other priority. The feeling for

quite some years in Windsor, by the population generally, was that a new chronic care hospital would be provided and would be provided very soon. It makes no sense to the community and they see this simply as an attack upon the by and large helpless chronic care patients, many of them elderly.

I would like to give a brief history, Mr. Minister, of how I come to the feeling that it makes no sense economically to close this hospital. A year ago you and your health officials completely shocked the Windsor hospital community by your proposal by which you were to save the number of active treatment beds, roughly 200, required to meet the new ratios which your ministry set up, that of four active treatment beds per 1,000 of population. It was a proposal which shocked the whole community, a proposal to close down Riverview immediately—presumably that would have been at the end of this month—to fracture that chronic care treatment among the four existing hospitals in some way; to close down the maternity care at Grace Hospital, the one hospital in town which is noted for its maternity care—in fact the reason for its existence is its heavy emphasis on maternity care and the gynecological programme—and the consolidation of psychiatric care.

[5:15]

The explosion among the hospital people, the people in the community—or the focus—zeroed in on the closing of the chronic care hospital more than anything else. The medical community saw each decision presented as a bad one in medical terms. The fracturing of the chronic care and the consolidation of the psychiatric care was the wrong direction for both of those.

The minister then said, "Okay; come up with a better proposal." The community, perhaps for the first time, worked very effectively through the hospital planning councils and through the hospitals talking to each other. They worked very hard from April on, from time to time consulting with officials from your ministry, really consulting with each other, and having open meetings all across the community.

Last December they came up with a counter proposal which in every respect met the ratios which the minister had put forward for the community of Windsor. They met the active treatment bed cutbacks of four per 1,000. They said "We'll take those 200 beds and proportion them, those cutbacks, on a pro rata basis across the city of Windsor."

The ministry recognized that there was an increased number of beds needed for chronic care and they presented a proposal which



would bring that figure up to the ministry's ratio figures, that being 320. The proposal was supported by the whole community. It was supported not just by the hospital planning council and the medical people in Windsor but by every community group which had been involved in the procedures.

I asked the Minister of Health in a question in the House last fall, if the hospital planning council came up with a proposal which met the ministry's ratios and was acceptable to the community, would the minister accept those proposals? I can't give you your exact reply but it was an encouraging reply; if it met the general criteria laid out that would be acceptable, particularly as it had community support. The minister will remember that.

In December, when the decision of that hospital planning council was presented to the minister, I was present along with another colleague from Windsor, the member for Windsor-Riverside (Mr. Burr). That was the first time, after all the debate we had had last April in the House, that we heard that the saving in dollars was the appropriate and most important thing.

We stressed in all our conversations in the estimates a year ago—look them up, Mr. Minister—that the ratios had to be met. There was concern on our part that the ratios were being inappropriately applied in the Windsor area. We, all the members from the Windsor area, met with your officials over the appropriateness of applying those ratios. The focus there was the application of the ratios and the meeting of those ratios.

The ministry produced, in a very ballpark way, the fact that meeting those ratios and the consequent shuffling of space to meet those ratios would produce a \$4.5 million saving. They laid that out; there was no lengthy explanation of it. It was certainly a ballpark figure calculation. There was no detail in it nor did Mr. Backley say that he could give more detail than the four or five lines of rough calculation which he presented.

The hospital planning council came back with what was an eminently acceptable solution—as I've said, supported by the entire community—in which they said, "Okay, let's take the 200-bed Riverview Hospital and let's reduce that by 40 beds to 160 beds." Let's place the other 160 beds required for chronic care into two hospitals, Metropolitan and IODE, with 80 beds apiece. They had looked at the philosophy of chronic care; they had looked at the type of chronic-care patient which they saw and served in the Windsor community and they said that could be di-

vided into three fairly recognizable groups in roughly those numbers and that met the ministry ratio of 320 in expansion of chronic care facilities and was an eminently reasonable solution.

It was at that meeting where, all of a sudden, again on a quick calculation of about three lines long, your official said this proposal is only going to save \$3.5 million. There is a million-dollar difference between the hospital planning council's proposal and what we are trying to achieve. All of a sudden, it wasn't just a meeting of the ratios, it was the money saving which became all important and a saving of a further million dollars somehow in the Windsor area became all important. That's the first time anyone in the Windsor area, including the members in this House who had been involved throughout, realized the significance of the million dollars, and that million dollars means something else may have to be done, for that million dollars to be saved.

The minister responded, and the minister's reply was a fairly good one in some respects. They said, "Instead of the cutback at Riverview being from 200 to 160, we are going to cut them from 200 to 120 beds. Instead of 80, we will add that extra 40-bed cut at Riverview on to the Metropolitan Hospital complement to bring that up to 120 beds. We will leave the 80, as you proposed, over in the Casgrain." So you split the chronic care treatment into three areas, leaving everything with the 120 at Metropolitan Hospital and 80 at IODE.

If the proposal had stopped there, it would have made some reasonable sense and we could have supported what the minister had done. That was a suggestion which would not have unduly upset the community, particularly as the minister also granted, which was one of the hospital planning council's requests at that time, that there be a chronic care assessment and placement service to be under the direction of the district health council, a service which would receive our applicants, presumably for chronic care, and place those in one of the three sites which was most appropriate for that particular kind of chronic care and for the facilities that were engendered at that particular site. It would have been a fine proposal.

But what is incredibly unbelievable is that the minister then said that you are still, a year from now, going to close Riverview Hospital. You are going to close those 120 beds which for a year's time, you will leave in Riverview Hospital. What's incredible about that is that not only does it offend all the sensibilities of everyone in the community, but it comes no-



where near saving the million dollars that seemed to be the one point of difference at that meeting in December, when the hospital planning council presented their brief.

That doesn't save a million dollars on operating at any time, let alone and completely disregarding the renovation costs, at some time in the future—it might be three years, it might be five years or it might be 10 years—of converting the chronic care unit established in IODE and Metropolitan back to some other kind of care—after-treatment care presumably. We are not counting those renovations and those re-renovation costs, we are simply looking at the operating money saved—the calculation that I said has been done. When in a year's time, if your proposal continues, 120 beds are taken out of Riverview and it is closed, and the beds placed somewhere else in the community, the staff savings will be almost miniscule because of the fact that all the administration of Riverview is already conducted at IODE because all the purchasing for Riverview is done through IODE. There is virtually no administration cost involved to be cut or saved by closing Riverview Hospital. The nursing administration also will be a straight transfer in cost. There will be no saving there. The total amount of saving that one can see envisaged in the year's time in closing Riverview Hospital would be, in terms of staff, one switchboard operator, one and a half stationary engineers, and some two or three people on the dietary staff. That's the total saving in salaries achieved in a year's time by closing down the 120 beds at Riverview Hospital. The total outside saving would be \$50,000 at the moment. The most they could ever see that figure expanding to would be \$75,000. A far cry from the million dollars which you said must be saved. In no way does it come close, Mr. Minister.

It would make sense for Riverview Hospital to be closed when it is closed only if there is some form of the new chronic care hospital which has been so long awaited in the Windsor area. If your decision was that Riverview will continue with its 120 beds until your new chronic care modular centre, which is built in various modules to whatever size you need, is established, that would have made eminent sense. Whether that occurs at the end of 1977, or whether, as you said at the open meeting in Windsor, it must wait until 1980 or the early 1980s, it makes eminent sense to leave those 120 patients in Riverview Hospital until new hospital facilities can be built replacing it. But no, we have this order from you at the end of March, 1977, that Riverview Hospital

must be closed and those 120 patients go somewhere else in the community.

There will not be any new hospital facilities built, Mr. Minister, in terms of economic savings to your ministry, it does not achieve anything in terms of the operating savings which the minister is trying to effect in the area. It does not take into account any amortization of renovation costs or any future costs of renovation back from chronic care wherever in the community the minister chooses to establish it.

Let me tell you what is happening in the community at the moment to show you the degree of upset re chronic care that is taking place in the Windsor area. With 100, or nearly 200 beds, in fact, operating at Riverview at the moment, they have for some weeks stopped taking any sort of application or referral into Riverview Hospital because by the end of this month they are supposed to achieve 120 beds there only. I gather this date has been delayed somewhat so let's not argue over the date. It may well go into May, when the first 80 units in the IODE, having been renovated, may be ready for operation, but they are taking no applications. They are looking at no referrals whatsoever.

So really, what we have is 180 and that number is dwindling in chronic care at Riverview. Where the rest of those patients are, no one knows. They are either sitting at home or they are occupying active treatment beds in hospitals, both places being completely inappropriate. It would make, in the present situation, a lot of sense if the minister simply said that Riverview will continue to remain open at full capacity until those renovations are complete at the other two hospitals.

The current situation has a great uncertainty—patients at Riverview worrying about chronic care patients, the elderly ones worrying about leaving the institution in which many have resided for some length of time. It's the current situation and it's very discriminatory against those particular patients.

[5:30]

There is one other point I want to make about the eventual closing of Riverview Hospital, a closing which I hope the minister will profoundly reconsider by looking at the financial aspects of it; that is, once you have cut back to 120 beds, as you are going to be doing this spring in your review, none of those 120 patients will be occupying the older part of the present Riverview Hospital.



Riverview Hospital was built in three stages; one part is quite old. By cutting back to 120 patients, none of them will be in the older part of the building. Those 120 patients in fact are occupying the remainder of Riverview Hospital, which in terms of age is equivalent to the age of the space at IODE and the space at Metropolitan Hospital, which is being renovated to take the added chronic care beds. In terms of the age of Riverview Hospital, that part which will be occupied by the 120 patients, not one bit of it is any older than the space that is being renovated to accept the other chronic care beds. So they can be quite comfortably left there until the new facilities are built.

There is nothing before the ministry, nor is anything anticipated to be sent to the ministry, in the way of renovations or improvements in that part of Riverview Hospital which is to contain those 120 beds in the future. The ministry can't argue that by closing it in a year's time, the ministry will be saving the renovation costs which have already been planned for the remainder of Riverview Hospital. There is no additional expense to the ministry by leaving that facility operating with its 120 beds until plans can be formulated for the new chronic care hospital, which the area so rightfully deserves.

The second point is a rather interesting one and I wish the minister would take this into consideration and do something about it. The minister having gone on his programmes and having taken a decision to close hospitals around the province, when it comes to Riverview, one wonders if he has just got a hospital closing fixation. So when it came to responding to what was a good solution from the Windsor area with respect to its chronic care needs, he was so fixated on a closing that he couldn't look at the facts objectively.

I oppose, as our party does, the community hospital closings across Ontario for the reasons presented quite ably by other speakers for our party, particularly our leader in his reply to the Speech from the Throne on Monday. We oppose those. But that decision having been taken by the ministry in that area, one gets the feeling that he has a hospital closing fixation which prevented him from looking at the true facts in the Windsor area.

One other interesting fact: A letter from Mr. Jamieson, the manager of hospital grants, to Windsor Western and IODE hospitals, states that "the ministry will pay three-thirds"

—that is, the total amount—of "certain projects where substantial savings on operating costs are possible." A renovation, at this time, of 80 beds in the Casgrain wing of IODE certainly must be part of the minister's hospital operating cost-saving programme. The ministry will pay three-thirds of those costs "by a regulation that is going to be passed in April or May to be effective for those contracts let after that regulation is passed" and not to be made retroactive for any contract let before that.

Mr. Minister, that is extremely discriminatory. IODE, having got 80 beds placed in its Casgrain wing as a result of this shuffle, went out immediately, got tenders and has let the contract for that conversion, so, in the interim, 80 chronic care beds will open there as soon as possible. The fact that they have let that contract now and work will proceed before that regulation is passed, assuming it must be a programme that is going to achieve savings on operating costs, will prevent them from receiving three-thirds of the cost from the ministry, and only two thirds.

I say to the minister, pass the regulation now if you have that regulation in mind, and it seems from Mr. Jamieson's letter that you do. Pass it now and make it retroactive to all those situations in Ontario where renovations have had to take place as a result of the ministry's decision with respect to hospital closings and hospital space shuffling.

That's the only fair thing which the minister can do. There most certainly should be that sort of fairness entered into with this particular hospital which, however unhappily, quickly responded to the need for these chronic care bed openings and the renovations in connection with that at that particular site.

Thirdly, the important point that I would like to mention here is if the minister persists, in spite of all the financial data which he will be presented with—which is almost ready now—with the closing of Riverview Hospital in one year's time—

Hon. F. S. Miller: It is final.

Mr. Bounsall: You are now saying that it is final, irrespective of the financial considerations which show a total of \$50,000 a year operating savings. That is too bad. It shows just how close-minded and fixated on hospital closings this minister is and some of his staff have become. There is no advantage to anybody in this particular closing, certainly not to you in financial terms.

Mr. Warner: It has become an obsession.



Hon. F. S. Miller: Right.

**Mr. Bounsall:** Now you have admitted that it is a straight obsession on your part. All right. Let me put another thing to you on behalf of what should be done for chronic care in the Windsor area.

The minister, at the open meeting in Windsor, said there would be no new chronic care facilities built until post-1980, implying that by 1980 or shortly thereafter there would be new chronic care facilities approved in the Windsor area. Would the minister respond favourably to IODE Hospital going ahead and building the first two modules and a contracted operational centre of the chronic care hospital planned for some time on the land which it already has at the IODE Western site; and financing it themselves in its entirety until the ministry, in 1980 or 1981, comes up with the funds it would normally be coming up with at that time to build a chronic care hospital?

The hospital has very carefully looked at its resources and has decided—it must start very soon so those facilities can be available by the end of March, 1977—that for three or four years or even for as long as a five-year period it could bear the total cost of building that building provided the normal ministry grants in support came forward in 1980 to 1982, some time in that period.

That is a proposal which would satisfy the entire community. It's a proposal which makes sense. The decision to close Riverview only makes sense if it was possible for that to take place. I am told by the hospital that it would let the ministry have the same low interest rate—which the hospitals are charged by the ministry—on the moneys which the ministry should be putting forth in 1977 as it would be putting forth in 1980 or 1982.

That, again, is a very reasonable proposal and you know how reasonable it is. The architectural drawings for that proposed modular unit — each containing about 70 units which they would build to replace what would be torn down at Riverview—have been shown not, perhaps, by the minister but by various ministry officials to other firms and other areas considering the construction of chronic care facilities as a model of architectural design melding with the whole programme the interactions between those chronic patients and the children from the emotionally disturbed children's centre. In philosophical terms, the mixing of the emotionally disturbed children with the chronic care has proved to be very helpful for both. This integration is part of the plan

and, in fact, the plan itself has been proposed as a model.

This is the kind of thing that the minister is turning down if he doesn't delay the closing or give the approval to IODE Windsor Western, that in some three to five years time after March, 1977, the ministry will come through with this particular funding. That's the time it has said it may well be able to come through with new chronic care funding.

Mr. Minister, I won't take up too much more time except to say that the fracturing of chronic care into a whole bunch of small units in towns, the whole philosophy of the treatment needed for chronic care patients in a further fracturing, really rather bothers me. There must be space found for 120 beds past March.

The further fracturing of it to other hospitals in the community gives anyone dealing with the chronic care patients some real concern. They have real concern about it being a small unit in a hospital in which the staff there are there—not particularly wanting to be there—until another opening comes up on some other nursing floor in the hospital. It will be the area which is sort of neglected, left out, and, in terms of staff wishing to work there, the area to be avoided.

One wants to keep large units. We certainly have a recognition of how to treat chronic care within the IODE Windsor Western complex, of which Riverview is part. To expand those facilities as planned for so many years with a very good architectural design, melding the chronic care patients with the emotionally disturbed patients, is a superb concept. The minister should find some means of keeping Riverview open until that can be built, or letting it be built with a promise that in the early 1980s the minister's normal funding share of that project will come forward. That would be an acceptable solution in the area.

I might say, Mr. Minister, there is concern about the cutting of the active treatment beds in Windsor, resulting in possibly 120 persons being laid off in total. Some will be taken up by transfers to the additional chronic care beds which are being provided, but there is still some great degree of concern.

Apart from having those active treatment bed cuts, it certainly was a shock to the community to get the minister's recent letter which said the IODE must cut back another \$90,000 in budget; and for Grace Hospital \$90,923, which represents another 7.3 persons cut in staff to meet that figure. The Hotel Dieu cut of \$86,000 represents another five to eight persons perhaps. And the \$26,000 cut at Metropolitan General represents an-



other two to three staff having to be let go—on top of all the staff cuts which are going to have to take place as the result of the closing down of the active treatment beds in the Windsor area.

Mr. Minister, I would hope that what you have expressed today—your firm decision and conclusion to cut in a year's time that hospital—will be changed when you see that the financial evaluation will not result in the saving you've mentioned. Finally, if you refuse to close it, that you would back the building of the new chronic care hospital with your assurance that your normal grants, which you say cannot be made now, will be made at the time it can be made—in the early 1980s. Let the hospital carry, which it says it can probably do, the costs of that additional mortgage in the interim—until you can come in with your particular grant.

[5:45]

**Hon. F. S. Miller:** Mr. Chairman, I don't know where the hon. member was during the discussions on the Windsor area, but there is no question in my mind, nor in the minds, I'm sure, of those people on the hospital council, that the original objective was not an academic exercise to meet ratios but to save dollars. The dollars were clearly stated and were understood, \$4 million in round figures. In fact, at the meeting to which you alluded, the members of the council who came to Toronto with you, pointed out that their savings were estimated at \$3.2 million.

**Mr. Bounsall:** A million dollars—

**Hon. F. S. Miller:** Yes. In round figures they asked us if that would do. Now, I think you recognize that. You may well recall reading an editorial in the Windsor Star in February. It was kind of a retrospective look. The Windsor Star has had some nasty editorials, quite understandably, about my moves there over the past year. It had some reasonably supportive ones, but the one it brought out referred to the other hospital closures in the province and it basically said, "In retrospect, we appear to have been lucky. The ministry asked us to do something, we objected. The ministry laid down what it thought should happen, we formed a committee, and countered. We made a number of suggestions, most of which were accepted. The government listened seriously and we feel a fair compromise was worked out." Do you recall seeing that editorial?

**Mr. Bounsall:** No, I did not see that one. I can well imagine it being written. Could I

simply say here, you've even got a more reasonable proposal before you.

**Hon. Mr. Miller:** Everybody feels the proposals they are making should be accepted 100 per cent. I do, too. Let me simply just read back to you a letter—it will take me a minute or two. This is my letter of Jan. 2. I am sure you have had a copy of it. It is to Dr. Jones of the Essex County Hospital Planning Council. It says:

In response to your letter of Dec. 3 [which outlines the points you just talked about] indicating the Essex County Hospital Planning Council's proposal for reduction in hospital operating costs in the Windsor area, the ministry has made the following decisions:

Recommendation No. 1: Riverview Hospital remain operational with a maximum of 160 beds. Our decision: That the Windsor Western Hospital Centre remain open at 120 beds starting March 31, 1976, and that it be closed effective March 31, 1977.

**Mr. Bounsall:** That's your one error.

**Hon. Mr. Miller:** Continuing:

During the next year an effective plan for the rationalization of chronic care to be developed by the Essex County District Health Council.

I am accused of never giving anybody any time to come back with a plan; they have a year to do so.

Recommendation No. 2: Two additional chronic care units, of not more than 80 beds each, to be established at Windsor Western, IODE and at Metropolitan. Our decision: Two additional chronic care units be developed starting March 31 at those two hospitals, one the 80-unit beds at Windsor Western, the other 120 beds. [In other words, we raised it by 40 at Met.]

Recommendation No. 3: Chronic care service centre or assessment of placement service be established to co-ordinate all the community services for chronic care. Our decision: The ministry concurs with the establishment of the above centre to be under the direction of the district health council.

Recommendation No. 4: There should be a minimum of a 200-bed reduction in the number of med. surg. beds and this reduction should occur on a pro rata basis in all the active treatment hospitals. [That is their recommendation to us.] Our response: The ministry concurs through the closing of the med. and surg. beds currently staffed and

in operation, such closures to be effected as at March 31, 1976. The submission of the exact bed closures should be submitted to the ministry by the Essex council before Jan. 31.

I will allude to the fact that other letters have followed showing 188 beds was a logical number if one took units. Again we found it quite possible to accept that, and it wasn't totally pro rata because pro rata left them with partial wards operating.

Recommendation No. 5: Psychiatric and cancer clinic beds should continue to operate as at present, subject to periodic review. Our decision: We agree.

Recommendation No. 6: A six-bed burns unit should be established at the Met. Hospital.

You and I know that was a bit of a red herring by somebody. We'll just ignore it and make no comments about it. Okay? I think you're nodding your head.

Mr. Bounsall: In the context of the closures and the bed shuffles, that wasn't inherent—

Hon. F. S. Miller: It was quietly inherent. A few people said that that was somebody's pet and obviously they had some improvements on the recommendations. But it wasn't the hospital council's highest priority, okay?

Mr. Bounsall: We can agree this was the second priority. We agreed that it wasn't part of the cutback.

Hon. F. S. Miller: We had accepted that a long time ago. But your local people had asked us to put money elsewhere than that, if we had to prioritize. I think that was agreed upon.

Recommendation No. 7: If the minister accepts these proposals the planning council will immediately undertake to continue its studies to find some rationalization programme for obstetrics and pediatrics. Our answer: A plan for the rationalization of obstetrics and pediatric services should be developed by the Essex County District Health Council and submitted to the ministry for an implementation date of March 31, 1977. [Again, we agreed with a logical recommendation.]

Recommendation No. 8: There should be no changes at present in the services at Leamington Hospital. [We agreed.]

Recommendation No. 9: Adoption of these recommendations would establish the building of a new chronic care hospital at the Windsor Western site as the first prior-

ity in major hospital capital expenditures. [We agreed.]

So I can only say to you that throughout we feel that a reasonable exchange of points took place. We compromised about \$1 million. If our estimation of saving is wrong then the council's is because they concurred in it.

Mr. Bounsall: But not really. They admitted that they didn't understand where you got your \$4.5 million.

Hon. F. S. Miller: Oh well, okay. The fact is, there were some people more vocal than others in your community. Some people quite actively took to the press. That doesn't bother me.

Mr. Bounsall: That's fair game.

Hon. F. S. Miller: That is true. They didn't necessarily represent the feelings of the group who continued to plan and deal. Let me tell you, I think the people in that area did a great job of working together—

Mr. Bounsall: They worked very hard at it.

Hon. F. S. Miller: I just think they need to be commended for working with us and I hope in turn—and I know privately—some of them think we weren't so bad through it all.

I don't expect them to stand up in Windsor and say Frank Miller should run for office in Riverside-Sandwich or whatever it was.

Mr. Bounsall: Windsor-Riverside or Windsor-Sandwich.

Hon. F. S. Miller: All right. I think if I did I just might be the ham in the middle.

Mr. Bounsall: Look—

Hon. F. S. Miller: Let me just finish.

Mr. Bounsall: If you're being reasonable, why don't you carry your reasonableness right through? Why be fixated on the closing?

Hon. F. S. Miller: Because in my opinion we have to utilize efficiently the existing 320-bed surplus in your community. The plant is running downhill; the renovations to change the chronic facilities are minimal. The change of chronic patients to those hospitals will not have the disastrous effects that some people would allude to and have you believe.

As far as the 100 per cent funding of capital for projects that are cost efficient—yes, my ministry recommended that. Retroactivity in that kind of thing is a very danger-



ous game. It is like slapping an extra tax on or giving a credit on something retroactively. Most times government has to say, this is the date something starts or stops; there are too many ways of playing games with that one.

**Mr. Bounsall:** Pass it tomorrow.

**Hon. F. S. Miller:** I may have it through earlier than that. But I am just saying to you that we had a simple basis for deciding that we should fund a change at a hospital.

If, in fact, the money invested repaid itself in five years, in terms of labour saving or any other form of saving, then we could justify putting our money up without local participation because it was in the common interest of the taxpayer so to do. That's good business.

What we need is more and more investment. It is pretty hard to convince many hospital boards to go out and hammer on doors or talk to municipalities and say, "Look we have spent a million dollars—we will save \$2 million in five years." The council says, "Whose money are you saving?" The fact that it is the taxpayers' doesn't matter; they don't have to raise it so why should they pay their share.

So, fine, my ministry has recognized that problem. We've said where the cost saving—through improvements like low-pressure automated boilers—would be a good example—or doing away with stationary engineers. We've said that it's in the general interest of the taxpayer of the province to finance that kind of a project we should provide the money and we will do so. I think it's an important departure.

As for permitting them to invest their money today, no, we just can't permit 100 per cent financing in advance. Lots of people suggest this because they're asking for something that is committing some government six or seven years in the future to pay; whether it's me or you I don't think matters. The fact is I deal with a three-year budget based on my present assessment. I know enough about the changes in the health care system to know that what I think Windsor needs today and what Windsor may need in 1982 or 1981 may be entirely different. Therefore, I am not willing to see anybody investing their money on the assumption that I'll pick it up, when the services can be properly and efficiently rendered today in existing capital plant already paid for by you and me.

**Mr. Chairman:** Is there any further discussion on item 2?

**Mr. Ferrier:** Yes, I want to make a few remarks about the restraint programme and put it into the context of the fast-growth community that Timmins is about to be. We are experiencing rapid growth at the Texas-gulf complex in Timmins, where we will be going through a large construction period with perhaps 1,500 or more new employees coming into the city to work on that phase and then 1,200 or more on the work force at the new copper smelter—a copper refinery, I believe—and a fertilizer plant, which will mean probably 6,000 or 7,000 more people in our area within about three years.

In this environment we are quite concerned at some of the actions that the minister has taken. A couple of weeks or so ago when the constraint programme was announced, St. Mary's Hospital in Timmins got a letter stating that they were to be cut back by 25 active treatment beds and they were to be converted to chronic care. This came as a terrific blow to my people there because just prior to this St. Mary's Hospital had agreed to take a 20-bed psychiatric unit supposedly to replace the Northeastern Regional Mental Health Centre that had been closed. I think that St. Mary's Hospital—

Interjection.

**Mr. Ferrier:** I doubt it. The people felt they were dealing in good faith in agreeing to take the 20 beds and to try to salvage something of the psychiatric services that we had become accustomed to in the area. This decision to close 25 beds at St. Mary's and convert them over to chronic care was taken without really any consultation with the hospital people or the health council. Some of us were pretty outspoken at the fact that we've had a health council for some eight months and they were not involved in any way in this decision. One of the councillors even went so far as to suggest that the \$22,500 that you propose to save by this move could easily be saved by disbanding the health council, since you were making all the decisions here at Queen's Park anyway.

**Hon. F. S. Miller:** They don't get paid.

**Mr. Ferrier:** You have an executive director and an office you are renting; and you have secretaries so those people get paid. I'm sure they are not working for charity unless they are very different from most people today.

**Mr. Chairman:** If we are at an appropriate spot in the debate, perhaps we could adjourn the debate and return at 8.

The House recessed at 6 p.m.

APPENDIX  
(See page 453)

Answer to a question was tabled as follows:

1. *Mr. Breithaupt*—Inquiry of the ministry:

1. How many contract employees are there in each ministry and how many of those have been hired since July 7, 1975? 2. How many casual employees are there in each ministry and how many of those have been hired since July 7, 1975? 3. How many part-time employees are there in each ministry and how many of those have been hired since July 7, 1975? 4. How many project workers are there in each ministry and how many of those have been hired since July 7, 1975? 5. How many civil servants were there on July 7, 1975 and how many are there now? 6. Are all of those persons in the categories of contract, casual, part-time and project employees included in the rules governing the political activity of civil servants?

Answer by the Chairman of Management Board of Cabinet:

The question Mr. Breithaupt has placed on order paper No. 3 of March 11, 1976, is identical to the one which he placed on order paper No. 5 of Nov. 3, 1975.

In as much as it took several months to gather the data, we are tabling the answer that we had prepared to that question, and trust this is satisfactory to the hon. member who asked this question.

1. How many contract employees are there in each ministry and how many of those have been hired since July 7, 1975?

Contract employees are hired by the ministries under the authority of the minister, contained in section 8 of the Public Service Act, covering the appointment of unclassified civil servants. Regulation 749, under the Public Service Act, further subdivides the unclassified service into two groups—Group 1 and Group 2. Group 1 includes employees who are employed: (a) on a project of a non-recurring kind; (b) in a professional or other special capacity; (c) on a temporary work assignment arranged by the commission in accordance with its programme for providing temporary help; (d) for 24 hours or less during a week; or (e) during their regular school, college or university vacation period or under a co-operative educational training programme.

As a result of the differing situations under which these employees are hired, the number of contract employees varies widely during the course of the year. For the purpose of this question, all the group 1 employees are included since they are all contract employees.

As of July 7, 1975, there were 19,595 contract employees in the ministries. Since that time, 3,083 employees were hired and 13,162 contract employees were terminated, leaving 9,516 contract employees in the ministries as of Nov. 10, 1975.

The number of contract employees in each ministry on November 10, 1975 and then hired since July 7, 1975 were:

	As of Nov. 10, 1975	Hired since July 7, 1975
Transportation and Communications .....	553	363
Industry and Tourism .....	166	49
Natural Resources .....	890	158
Labour .....	73	56
Agriculture and Food .....	260	260
Environment .....	410	190
Attorney General .....	1338	162
Consumer and Commercial Relations .....	160	89
Correctional Services .....	1338	268
Solicitor General .....	288	55
Health .....	926	147
Education .....	361	302
Colleges and Universities .....	127	44



Culture and Recreation .....	563	166
Community and Social Services .....	787	331
Civil Service Commission .....	97	39
Government Services .....	357	159
Housing .....	246	73
Management Board .....	14	7
Energy .....	25	4
Policy Field Secretariats .....	56	33
Treasury, Economics and Intergovernmental Affairs .....	246	15
Revenue .....	178	98
Premier's Office and Cabinet Office .....	45	14
Provincial Auditor .....	12	1
TOTAL .....	9516	3083

2. How many casual employees are there in each ministry and how many of those have been hired since July 7, 1975?

Casual employees for the purposes of this question have been defined<sup>1</sup> as Group 2 employees, those employed on a project of a seasonal or recurring kind that does not require the employees to be employed on a full-time, year round basis.

These employees differ from the Group 1 unclassified service and are usually found in extended employment periods covering the early spring to the late fall, and includes such persons as those employed in provincial parks.

As of July 7, 1975, there were 9,046 casual employees in all ministries, and since that date, 710 casual employees were hired and 5,002 employees were terminated leaving a balance of 4,754 casual employees as of Nov. 10, 1975.

The number of casual employees in each ministry as of Nov. 10, 1975, and those hired since July 7, 1975, were:

	As of Nov. 10, 1975	Hired since July 7, 1975
Transportation and Communications .....	1060	56
Industry and Tourism .....	—	—
Natural Resources .....	2245	23
Labour .....	—	—
Agriculture and Food .....	309	215
Environment .....	2	—
Attorney General .....	—	—
Consumer and Commercial Relations .....	13	13
Correctional Services .....	—	—
Solicitor General .....	—	—
Health .....	154	48
Education .....	63	63
Colleges and Universities .....	—	—
Culture and Recreation .....	36	9
Community and Social Services .....	663	220
Civil Service Commission .....	—	—
Government Services .....	209	63
Housing .....	—	—
Management Board .....	—	—
Energy .....	—	—
Policy Field Secretariats .....	—	—
Treasury, Economics and Intergovernmental Affairs .....	—	—
Revenue .....	—	—
Premier's Office and Cabinet Office .....	—	—
Provincial Auditor .....	—	—
TOTAL .....	4754	710

3. How many part-time employees are there in each ministry and how many of those have been hired since July 7, 1975?

Part-time employees are defined for this purpose as Group 1 employees, type (c) and (d). As a result, the numbers of employees referred to in this question are already included in the numbers stated for Part 1.

	As of Nov. 10, 1975	Hired since July 7, 1975
Transportation and Communications .....	259	175
Industry and Tourism .....	70	31
Natural Resources .....	145	53
Labour .....	38	24
Agriculture and Food .....	218	71
Environment .....	76	24
Attorney General .....	1273	139
Consumer and Commercial Relations .....	86	57
Correctional Services .....	936	200
Solicitor General .....	219	28
Health .....	737	108
Education .....	120	81
Colleges and Universities .....	104	41
Culture and Recreation .....	170	74
Community and Social Services .....	395	101
Civil Service Commission .....	24	12
Government Services .....	139	83
Housing .....	11	5
Management Board .....	6	4
Energy .....	6	4
Policy Field Secretariats .....	10	7
Treasury, Economics and Intergovernmental Affairs .....	28	14
Revenue .....	66	45
Premier's Office and Cabinet Office .....	11	7
Provincial Auditor .....	-	-
TOTAL .....	5147	1388

4. How many project workers are there in each ministry and how many of those have been hired since July 7, 1975?

Project workers are defined as those employees included in Group 1, type (a), and as a result, are already included in the number recorded in Part 1.

	As of Nov. 10, 1975	Hired since July 7, 1975
Transportation and Communications .....	105	74
Industry and Tourism .....	-	-
Natural Resources .....	586	79
Labour .....	19	6
Agriculture and Food .....	11	-
Environment .....	238	26
Attorney General .....	27	14
Consumer and Commercial Relations .....	56	23
Correctional Services .....	187	34
Solicitor General .....	62	22
Health .....	84	11
Education .....	24	19
Colleges and Universities .....	11	2
Culture and Recreation .....	72	37
Community and Social Services .....	352	165
Civil Service Commission .....	9	2
Government Services .....	189	54
Housing .....	64	12
Management Board .....	1	-
Energy .....	18	-
Policy Field Secretariats .....	3	3



	As of Nov. 10, 1975	Hired since July 7, 1975
Treasury, Economics and Intergovernmental Affairs .....	211	1
Revenue .....	102	46
Premier's Office and Cabinet Office .....	—	—
Provincial Auditor .....	—	—
TOTAL .....	2431	630

5. How many civil servants were there on July 7, 1975, and how many are there now?

July 7, 1975—70,648 civil servants; Nov. 10, 1975—69,759 civil servants.

6. Are all of those persons in the categories of contract, casual, part-time and project employees included in the rules governing the political activity of civil servants?

Sections 11, 12, 13, 15 and 16 of the Public Service Act covering political activities refer to Crown employees. The unclassified service referred to in the question are Crown employees. Therefore these sections apply to the unclassified service.

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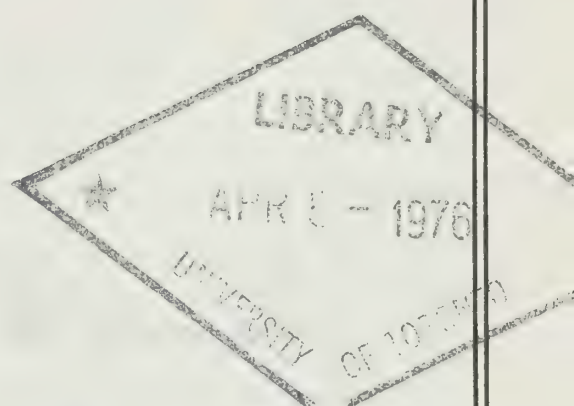
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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Tuesday, March 16, 1976

Evening Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

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TUESDAY, MARCH 16, 1976

The House resumed at 8 p.m.

### ESTIMATES, MINISTRY OF HEALTH (continued)

On vote 2903:

**Mr. Chairman:** The hon. member for Cochrane South.

**Mr. Ferrier:** Yes Mr. Chairman, between supper hour and now we've been doing a bit of research.

**Hon. F. S. Miller:** Don't admit any guilt.

**Mr. Ferrier:** We've been doing a bit of research and we've got more information than we had at 6 o'clock. We were talking about the conversion of beds at St. Mary's Hospital in Timmins and mentioning that the people were pretty upset when they were told that 25 beds had to be converted for chronic care.

Chronic patients are not people who lie in bed all the time; they are somewhat ambulatory and could use a common room or sun room for social activities and that type of thing, and would like to get up and eat their meals someplace other than in their bedroom. So there was quite a disturbance by the people at the hospital. They felt that if they just converted active treatment beds to chronic beds they would be just putting chronic patients in the hospital pretty well to vegetate and die. That wasn't considered a very worthwhile way to treat them.

The mayor came down and spoke to the minister and the minister realized that he had made a mistake. The information that had come from his ministry to make this conversion didn't seem to take into account the conversion to the psychiatric beds that St. Mary's had agreed to take. So the minister agreed that the whole hospital bed situation in the Timmins area would be referred to the local health council for them to make an examination of the facts and bring back some recommendations.

That's the way it should have been in the first place. The health council should have been involved and should have had the opportunity to look into the matter, to study the situation and to make recommendations. After

all, that was the reason they were appointed. I have to commend the minister. At least he realized that this course of action was open and he was prepared to take it. They will have some difficult decisions to make and I know there are tensions between the two hospitals in the community. But I hope they have the wisdom of Solomon and can make some recommendations that will be acceptable to both parties.

St. Mary's is going to take over the psychiatric services that are being closed down at Northeastern. There are to be 20 beds for active psychiatric care in St. Mary's hospital, or at Northeastern under the administration of St. Mary's. I suppose the minister feels that because it's being handled by St. Mary's they can get the federal subsidy on the OHIP payment.

One thing that has not been mentioned very much in all these restraints that are being carried on in the provincial sector, the cutback in active treatment beds, is that for a number of years the federal government has agreed to fund active treatment beds. However when the province went into extended care coverage for nursing homes and the home care programme and the chronic programme, my understanding is that the federal government refused to operate on a share-cost basis.

The federal government's cutback and restraints has, I think, put a significant degree of pressure on the provinces. It seems to me that the federal government, had they been responsible and co-operative in a fair and reasonable manner, would have been prepared to share these less costly health care forms and would have underwritten some of the costs, not only in Ontario but throughout the country. Had they done so, perhaps there wouldn't have been the great pressure on the provincial health care budget there is today.

I think we shouldn't let the federal Liberals off the hook too easily either, because—

**Hon. F. S. Miller:** We're ad idem there.

**Mr. Ferrier:** Yes, but you haven't said very much about that.

**Ms. Gigantes:** Who signed on?

Mr. Ferrier: I remember Tommy Douglas making a very informative presentation on Canada AM not too long ago, pointing out some of these things and expanding on what he was saying in the federal House. I haven't heard that come from Queen's Park. Perhaps you feel it would be too much of an excuse. I think that the federal government has been quite irresponsible on this matter and has been putting undue pressure upon the provinces. I feel that some of the actions we're seeing in Ottawa now about a new Constitution—they're going to repatriate it perhaps without even referring it to the provinces—is typical of the federal government's arrogance and lack of concern for the provinces. They don't seem to realize they are in a cooperative federalism. Prime Minister Trudeau has talked about participatory democracy, but he doesn't even carry it out in a number of instances within the federal system under which we operate.

Anyway, the 20 beds in Timmins, as far as we're concerned, is not enough. The minister proposes to carry out his programme in the Kapuskasing area with one social worker and one psychiatric nurse and with a psychiatrist visiting there periodically, and using the Sensenbrenner Hospital for acute patients. If these patients have to be hospitalized for any length of time they will be sent to North Bay.

He has suggested for the tri-town area that there be two social workers and two registered psychiatric nurses; again with a psychiatrist visiting there to consult. This could be under the public health programme in the tri-town area.

In the Timmins area there are to be, I understand, two psychologists. They have to be made available for Kapuskasing and the tri-town team.

There are to be two registered nurses to carry out the outpatient programme. There will be two or three social workers who will do the family visits in the community and that type of thing. There will be one rehab officer for all of northeastern Ontario, perhaps a child care worker as a resource person to the school board and a few extra nurses probably in connection with this 20-bed unit; and that is supposed to replace the Northeastern Hospital that has been serving all of northeastern Ontario for the last eight years.

If the minister feels he can adequately serve the area with modern psychiatric methods with a staff of 16 or 20 and 20 beds, then he is quite optimistic. Perhaps

you can carry out your outpatients' programme, I don't know, but there have been over 400 patients who have been involved in that programme. If you feel that you can substitute this service with this number of people for the over 200 that you had, then you've either been ripping off the taxpayer in a tremendous way in the last eight years or else you are not going to really adequately serve them by this method. I suspect that it is more of the latter than of the former.

The hospital has had problems and growing pains over the years. Some of the medical directors you had there have not been as responsive to the needs of the community as the last medical director has been. He has suggested that the hospital's programme should respond to the needs of the community rather than impose a pattern on the community. I know that previously there was a good deal of resentment when the programme was imposed on the community, because any person that was to be admitted to Northeastern had to be admitted first to the General Hospital and then transferred over there. On a weekend they just weren't prepared to admit people.

I know the member for Cochrane North, (Mr. Brunelle), like myself, has had a number of people call complaining about that, that so and so is very disturbed and should be in the hospital and he can't get them in.

Even doctors contacted me and we succeeded, sometimes, in getting patients admitted. That did cause problems in the community, but in the last year or so there was a reorientation of the whole treatment programme and I think it was working quite successfully.

The minister heard our brief and I think the minister has to admit the people in our area were very responsible, restrained and did not make inflammatory or derogatory remarks. In fact we presented a reasonable case, presented it well and were not involved in some of the insults or that type of thing that might have gone on in other places. We wanted a combination of psychiatric beds and chronic care beds and retarded beds. We were given to understand there would be reconsideration of our proposals.

Some of us came down to see the Premier (Mr. Davis) to present the case to him and he more or less said the same thing. The response that we finally got was that there would be these 20 beds at Northeastern.

The people are not really satisfied that it is quid pro quo, that you exchange one for the other and we are going to be adequate-



ly served. The alternative of making it a mentally retarded resource centre is falling into the same trap as the psychiatric hospital was, in that they are only talking about 50 in-patients at this point. It may be going up to a few more, but if you don't utilize that facility to its capacity you will fall into the same trap. It will be under-utilized and a minister four or five years down the road will say: "We are not really getting the most for our dollars, we're going to close it down again." And who will get it next? Will Correctional Services take over the programme at Monteith or something like that? This is the worry that the people have.

[8:15]

There has been a real period of anxiety and upset in that community. It's been a very traumatic period of time, particularly over the Christmas period. One wonders why it couldn't have been left a little longer into the new year before you took your action. It didn't make for a very pleasant Christmas for the employees, for the patients and for the families of the patients. It's been a very upsetting time.

While you did promise us those 20 beds, and St. Mary's Hospital is in the process of implementing the resolution that they passed—not so much because they agreed with it as they realized that there had to be psychiatric services in the area—you've transferred a number of patients down to North Bay. I know that one woman has had a fall down there and she has had quite a bad hip injury as a result. I know that it's been a very traumatic experience for some of the people who have been transferred down there by car, ambulance and what have you. It has been a very upsetting experience.

It's 225 miles or so to that hospital from our area, and it has been difficult for families to have to bring loved ones down there for a period of time. It means that they will not be visiting them nearly as often.

One of the sad things about these kinds of hospitals is that patients sometimes go in there in a chronic state, their family forgets about them and they're left there until their dying days. It's an unhappy situation.

The homes for special care programme that you do have at the nursing home is able to accommodate a few people, but not nearly enough. It means that while you might be saving some money, the people are going to have to pick it up in travelling down to North Bay. It's a long trip down there and back in one day, so people are going to have to stay in motels and will have overnight

expenses for motels and meals and all the rest of it if they really are concerned—and a number are concerned about their loved ones who are patients there.

I know that in the riding of the member for Cochrane North, people from Kapuskasing, Smooth Rock, and probably Cochrane, all will have to go down there too. It's not really the kind of solution we are happy about.

What about the employees? There were over 200 employees. The day the announcement was made about the closing, your ministry was to be presented with a proposal from the administrator of Northeastern to fully utilize the hospital there so that some greater economies would be available and you'd get better value for your dollars.

But that proposal wasn't even considered. The decision had been made and was already in motion, and the minister had to be able to say what a tough line he was taking on his own institutions, Goderich and Northeastern, so he could justify to the hospital administrators and the chairmen that were sitting in the room over in the Macdonald Block, or wherever it was, that he meant business and was prepared to take tough decisions within his own ministry with his own institutions, so they had to be prepared to accept the tough decisions that he was going to take as far as they were concerned.

The thing is that the employees first heard it over the CBC at noon and it was a pretty traumatic experience, as I have said, for them.

There are going to be a number of jobs lost. If people are kept on in the new facility—and some of them will be—they will no longer be civil servants and they will lose some of the credits that they have had. There will be a number of them, at this early stage, who will not be carried over so there will be periods of unemployment.

One of the really good things about this kind of hospital is that people who are not able to do hard work—the cleaning and this type of thing—have an alternative form of employment they can go to. This was one of the reasons, I think, why Mr. Spooner, when he was the member for Cochrane South, pushed so hard to have the hospital built there. There was a lot of politicking involved in it; it was good for him—bringing a hospital in and this type of thing—but he did have in mind the alternative kind of jobs which would be available in a heavy industry community. I give him credit for that.

These kinds of jobs may not be available and unless they are prepared to move there



may be very significant periods of unemployment. I doubt if the kind of people who have worked at the hospital will be employed by Texasgulf for some part of its expansion programme.

I don't know how many of the employees are being placed in other parts of your ministry or at your institutions. I know your personnel people used some very questionable tactics and when you found out about it you were quite annoyed; I hope you followed through. They gave the people the option of changing to another institution or another part of the Health ministry's operation, either being moved at their own expense or at government expense. It was a kind of blackmail. I hope you cleared that up.

Another problem I have brought to your attention—I don't know whether or not you are yet prepared to respond to it—as far as the employees are concerned, is the question of whether the severance pay, the holiday pay and pension credit for those to whom it pertains can be made available on March 31 or as close as possible. That is a concern among a number of the employees there.

I think the situation has been very traumatic for the employees. I don't know what the final resolution is going to be as far as St. Mary's is concerned—about the chronic beds and this kind of thing—but Northern College did have a contract with Northeastern Hospital as far as education for psychiatric nursing was concerned. They will now have to be accommodated in North Bay, at some expense as far as travelling is concerned and as far as room and board is concerned.

I don't know whether the regular nursing courses can be carried out at St. Mary's if you cut back and change over to chronic beds. You will have to cut down as far as I can understand, on the number of nurses you are accepting there.

Judging by the employment opportunities for nurses in my area, and perhaps in the general hospital system throughout Ontario, maybe you are going to have to cut back on the number of admissions you make to the nursing schools. It is not very fair for a young lady or a young man to take a course in a field when they are not going to be able to have a job. It's an important training but unless they can work in their field it's not very wise.

There is extra expense now being experienced by the Ministry of Correctional Services because they have to send inmates who have psychiatric problems down to

North Bay. It means a couple of custodial officers taking the inmate down and it's at least a whole day's trip. There are the wages of two people for a whole day and all the travelling expenses and that kind of thing. It has gone on with some degree of frequency and there are a number of extra expenses that you are going to have.

I don't know what the proposals are for the ARF programme. The last I heard was that they were considering putting Addiction Research Foundation personnel in St. Mary's Hospital in the old nurses' wing, up on the third floor I think it is. Because they are in the central part of the city, a lot of the people who would be calling upon them would have easy access to them. Well if that is the case, I don't know how the funding is going to be handled, but, I suggest it may cost as much to carry out the programme, or more, through that medium than if they had been at Northeastern.

I understand that the Monteith programme is going to be continued, but just where I don't know. Perhaps in the early stages it will be continued at Northeastern and then transferred.

That was the kind of programme that really showed the government was concerned about rehabilitation. I think there have been some pretty significant, positive results from that programme; and I was very concerned that this programme might be seriously jeopardized if you did not make the commitment to go ahead with it. But the Minister of Correctional Services (Mr. J. R. Smith) and yourself, I understand, are prepared to stand firm and see that the programme continues.

I think that it was a pretty tough role that you perpetrated against northeastern Ontario. Perhaps Northeastern, as the leader of the Liberal Party intimated, was overbuilt in the first place. That's not our fault; that's poor planning within your ministry and your people back in those days. I think you should have, away back when, considered using that facility as a joint facility, as it was built for mentally retarded and for people requiring psychiatric care. Over the years we have pleaded with you, as a way of resolving this chronic care situation, to make chronic care beds available in Northeastern.

During the late stages of the election you led the Timmins city council to believe that this was in fact receiving very serious consideration by you and your officials. They were pretty upset when you came along and made your announcement.



Your plan to provide chronic care beds in the area is, of course, welcome; but they have to be provided in a facility that is appropriate for them and can offer the common room type of thing, where they can go and socialize, along with some suitable type of dining room facility. I have said all along, but perhaps you have never agreed to this, that if you made the 26 beds available at the Timmins nursing home and designated it specifically for chronic care, you could meet the crisis for the time being. Then when other long range plans were in place you could perhaps channel those over for extended care. You haven't been prepared to accept those arguments.

Now there was one hopeful thing that the minister did say when he was in Timmins; that he is prepared to move forward to some extent the new district hospital he has said would be coming our way. I don't know how much the restraint programme is going to have a bearing on that.

Also there is the fact that you are going to put about \$1.6 million into St. Mary's now to improve the emergency care, the radiology department, the urology department, the pathology department. That's very good. But what you are prepared to do as far as the district hospital is concerned is a very serious concern. I hope the minister, when he told us that night in January he was going to seriously consider moving it up, will be prepared to do that.

You know, Mr. Minister, I think that overall it's important to establish various parts of this province as regional or district medical centres where a fairly wide degree of service is made available for that region. I think our area, being a heavy industry area with mining and lumbering sectors, should have an orthopaedic surgeon at hand with the facilities he needs.

[8:30]

We've had two that have come there and they have gone, one to Stratford and the other one to Sudbury, because there were not sufficient beds available in the area for them to do the work that needed to be done. I think it would save money for the local people, it would be much more convenient and it might save money for the government, if you had facilities where an orthopaedic specialist could be there.

In our whole area of northeastern Ontario we should have a pediatrician. The nearest ones that I know of are in North Bay and Sudbury. It's not just my area but it's all up through the whole district of Cochrane. We serve all the way up to the coast of James Bay, the Moosonee area and all the native

communities. We also serve Gogama and Foleyet. Those communities should be taken into account when you are applying your 4.5 per cent formula to decide on the number of beds.

I hope when you are planning that region or district hospital that you are prepared maybe to move up a little bit, that you will think of the possibilities of attracting some specialists into that area and providing them with the facilities and sufficient beds that they can really operate as a district or a regional hospital and serve the people in those areas.

Another area that I think is of major concern as far as hospital facilities go is the service that St. Mary's provides to the francophone community. You have a committee looking into the needs of the francophone community of this Province of Ontario. I can tell you that there are not nearly enough francophone doctors serving the francophone community of this province. It's very disconcerting for a number of unilingual francophone people of this province who have to go to doctors and try to communicate with and tell them their symptoms when they can't communicate.

That's a serious lack that is in existence as far as the francophone community is concerned. I think that the University of Ottawa has for the most part taken the students from the Province of Quebec into their medical school and they are not taking a number of people from northern Ontario into the school so that the francophones from northern Ontario will be induced to come back to the north and serve in those hospitals we have.

In a hospital like St. Mary's we do have auxilliary health care personnel who are francophone and who can provide some of the significant services to the francophone population. But I want to tell the minister that his 4.5 beds should maybe be reconsidered as far as the francophone communities of this province are concerned. In those areas where there are inadequate facilities provided in the hospital sector for the francophone communities you should raise your ratio to a considerable extent.

When you are planning your district hospital, take that into account. When the district health council is making their recommendations to you, they better take that into account and see that the francophone community of my area, and indeed of the province, have sufficient professional health care people to serve them and to speak their own language; and your medical school at the University of Ottawa should give sufficient preference to francophone students from

the Province of Ontario so that we're graduating enough doctors who are prepared to come back to Ontario and serve our francophone community in Ontario rather than to go back to Quebec and serve there. They have their own medical schools there and Quebec can well afford to train their own doctors. We need francophone doctors in the worst way in our community.

So, I suppose I had better wind it up but I am—

**Hon. F. S. Miller:** Keep on, keep on.

**Mr. Ferrier:** Well I did a pretty good job of research over the supper hour. But I am telling you, Mr. Minister, we weren't very happy with your announcement on Dec. 19 and we are still not satisfied with the response that you have given us.

**An hon. member:** There is no rationale.

**Hon. F. S. Miller:** There is though.

**Mr. Ferrier:** In fact, Mr. Minister you have got too many insensitive, cold, calculating bureaucrats down here at Queen's Park. No, it is not you, it is your bureaucrats down here.

**Mr. McClellan:** It's them, yes.

**Mr. Ferrier:** And some of them ought to know better.

**Mr. Angus:** Lots of luck, Frank.

**Mr. Ferrier:** Some of them ought to know better because they have—

**Mr. Warner:** It is your responsibility.

**Mr. Deans:** Frank Miller, they have been manipulating Ministers of Health ever since I came here.

**Hon. F. S. Miller:** I realize that; it's probably the most plastic they ever had.

**Mr. Deans:** I am not going to tell you that.

Interjections.

**Mr. Ferrier:** I am telling you, Mr. Minister, northern Ontario has unique problems. They are problems of distance, they are problems of weather, they are problems of scattered population; but there are human needs, health care needs, that have to be dealt with in a unique way. The way the hatchet was used on Northeastern certainly didn't indicate much sensitivity on behalf of this government. You didn't win yourself very many friends in northern Ontario by that action.

Your compromise was the same thing we talked about in your office: that the general hospital would pick up 20 beds and you wouldn't be prepared to put the restraint axe on them. I think your bureaucrats really didn't do you much of a service when they said that they were there to axe St. Mary's Hospital. I think that slipped through your hands without you really realizing it. Sometimes they do things that seriously embarrass you and I think that—

**Hon. F. S. Miller:** Yes, and they sent you information.

**Mr. Ferrier:** If they are really responsive to what is going on and they are concerned they will know that; and I believe there were some in your ministry who proposed that St. Mary's pass that resolution and accept those 20 beds.

I know; I have a pipeline into the St. Mary's Hospital board. I know it is all confidential and all the rest of it, but sometimes the better half lets the odd things slip.

**Hon. F. S. Miller:** Is she on the board?

**Mr. Ferrier:** She is on the board. You see the NDP are pretty active up in my area.

**Hon. F. S. Miller:** Yes, I have met your family.

**Mr. Ferrier:** In one way, Mr. Minister, some of us have to take extreme measures to pitch in.

Interjections.

**Mr. Ferrier:** But anyway, Mr. Minister, we feel it is typical of this arrogant, insensitive way that Queen's Park deals with the north. The whole decision reinforced our sense of separation, our sense of not being taken into account, of you concentrating more and more power down here and not transferring power out to the areas in a certain kind of local autonomy that some of your ministers get up and argue about when a pertinent local decision is to be made by the local people. You have a health council and you didn't take them into account; and you didn't take any of the professionals into account; you didn't even let your administrator of the hospital know.

I think you haven't really done yourself much of a service in the decision that you took there. If you had done what we had pleaded with you and pleaded with the Premier to do—and I hope that the Premier gets up and talks about the little conversation he and Bill Drysdale and I and Dr.



Stewart had in his room. We were prepared to take a compromise, with the hospital as a resource centre for the retarded—75 or 100 beds or more—to keep 75 or so beds for the mentally ill and to have adequate psychiatric services. We would have been satisfied.

The Association for the Mentally Retarded were not overly enthusiastic about taking that over, but now they have agreed and I think they're pretty pleased they've got this large facility. They're going to go ahead with it.

I think you made a mistake in not listening to us in our area. You might be able to justify it in dollars and cents, but you haven't explained very well what you're going to put there in its place. You may have explained it to a few of the professionals, but we had to wait a long time for the Minister of Community and Social Services (Mr. Taylor) to approve his news release. It must have been about three days we waited for that to come forth.

I still don't know what you're going to come forward with as far as the children's programme is concerned. I hope you've got something in place to take over there, because if you haven't that 5.5 per cent increase to which you're limiting the Children's Aid Societies is going to work real havoc upon the Children's Aid Society in my area and other places. You've got to give us something.

Perhaps you're going to have an overall saving, I don't know, but you've upset the people there very greatly and you've got to prove to us in some way that the alternatives you've put in place are going to work. I hope they do but I'm kind of dubious. If you can carry out a programme with 20 or 25 people where previously you had 200, one way or another you've really been misleading the people.

**Mr. Laughren:** Right on.

**Mr. Ferrier:** I say to my hon. friend from Nickel Belt I'm speaking up for his people, too, because there are the hospitals in Chapleau, Foleyet and Gogama; and also the member of Algoma (Mr. Wildman), we looked after some of his people. You know that now, and before you hammer that baton down I'll sit down.

You've got one psychiatric hospital in North Bay serving all of northeastern Ontario from North Bay to Sault Ste. Marie to Wawa to Hornepayne to Hearst to Moosonee to Winisk to Ogaki to Fort Albany. I don't know, that's half the size of Europe and you've got one hospital. I know there are not too many people up in the northeast with

problems but there is the odd one who does need some psychiatric care.

You've let us down and I'm pretty damned mad at you.

**Hon. F. S. Miller:** Mr. Chairman, we shared the same source of research across the dinner hour and that's not all we shared. First of all, we have two other things in common. We're both nice guys.

**Mr. Warner:** That is the only source.

**Mr. McClellan:** Half right.

**Mr. Deans:** Half right again.

**Hon. F. S. Miller:** The second thing is we both are members of the United Church.

**Mr. Sweeney:** He's getting in deeper all the time.

Interjections.

**Mr. Chairman:** Order, please.

**Hon. F. S. Miller:** My friend on the far side is not only a member but a minister. Now that's the closest he is ever going to be to being a minister in any other sense.

Interjections.

**Mr. Chairman:** Order, please.

**Hon. F. S. Miller:** I have to point out I now understand how he got elected, because any minister of any United Church that I ever attended who spoke more than 20 minutes was out. He has now spoken for 45.

Interjection.

**Hon. F. S. Miller:** That's the trouble.

**Mr. Laughren:** Are you going to take the chiropractors out of OHIP?

**Hon. F. S. Miller:** I will have to if they continue to interfere with my debates in this way. It's one of those secrets we have to keep between you and your congregation.

**Mr. Warner:** It's a good thing you are not a minister of the church.

**Hon. F. S. Miller:** Yes.

Interjections.

**Hon. F. S. Miller:** I think I'll go up there and start converting them to some other faith.  
[8:45]

**Mr. Chairman:** Order, please. Could we have a little devotion to the estimates?

**Mr. Warner:** Watch him. He is going to close the churches.

**Hon. F. S. Miller:** That, I might say, is the only devotion the Chairman has shown since he got elected.

**Mr. Chairman:** Hear, hear.

**Hon. F. S. Miller:** Until I became Minister of Health, I never realized what a nasty guy I was.

**Mr. Chairman:** Hear, hear.

**Mr. Deans:** Hansard is recording you. Did Hansard get that? The Chairman said, "Hear, hear."

**Hon. F. S. Miller:** Mr. Chairman, there is a time and a place for almost anything, but this is not it.

I've been called arrogant, as somebody reminded me from your benches, more often in the last three weeks than my wife has called me in 25 years of marriage.

**Mr. Laughren:** Is your wife at home a lot?

**Hon. F. S. Miller:** I've been called dictatorial; I've been called insensitive.

**Mr. Makarchuk:** You are.

**Hon. F. S. Miller:** I've been called many things. But one thing I've discovered, though, is the difference between me and you is I'm willing to make a decision without waiting until doomsday for enough facts to have all of the facts—

Interjections.

**Mr. Chairman:** Order, please.

**Hon. F. S. Miller:** Mr. Chairman, they're trying to incite me into responding to interjections.

**Mr. Chairman:** Order, please. The minister will continue.

**Mr. Deans:** We'd like you to respond to the speech.

**Hon. F. S. Miller:** There was nothing to respond to, so I had to find something to say.

**Mr. Deans:** That is a bit insulting, I think. Would you like him to restate it?

**Hon. F. S. Miller:** If he can do it in one sentence, yes.

**Mr. Chairman:** Order, please.

**Hon. F. S. Miller:** The fact is, though, the decision-making is always based on incomplete facts. One of the things I've learned about planners or experts, is that there is always something else they need to know before they give you advice.

**An hon. member:** That won't bother you.

**Hon. F. S. Miller:** They need another study. They need more information. They have to check more variables. The fact is that life goes on and decisions have to be made.

**Mr. Warner:** Without facts? That's what happened with the hospitals, and you know it.

**Hon. F. S. Miller:** You were at the chiropractic dinner too. I sat near you.

**Mr. Chairman:** Order, please.

**Mr. Gaunt:** He didn't smoke a cigar, though.

**Hon. F. S. Miller:** No, but I shared that with another member of this House who doesn't share my sex.

**Mr. Sweeney:** Since when did you start sharing?

**Hon. F. S. Miller:** I'll rephrase that.

**Mr. Sweeney:** When did you start sharing?

**Mr. Gaunt:** This is confession night.

**Mr. Makarchuk:** Are you advertising?

**Mr. Warner:** If you were the Minister of Transportation and Communications, you would close Highway 401.

**Mr. Lawlor:** Stop complaining, Frank.

**Hon. F. S. Miller:** I wish I were advertising; I would be caught on one of our bases for false advertising if I were.

If, in fact, I waited for all the facts nothing would happen, because they are never in. One of the things I say in all seriousness is that I've never pretended to know that I made the right decision on any particular issue.

**Mr. Warner:** That's obvious.

**Hon. F. S. Miller:** That's fair enough. Yes, I admit it. That's the great difference between you and me. I'm always aware I'm human and fallible.

**Mr. Makarchuk:** Stop it.

**Mr. Shore:** Stop pontificating, will you?



Hon. F. S. Miller: Pardon? No, no. If I were pontificating I would be infallible.

Mr. Shore: Oh, okay.

Mr. Sweeney: Bob, who is the minister?

Mr. Deans: I will have the member for Lake Nipigon (Mr. Stokes) fly in to deal with you if you don't get to the point pretty soon.

Hon. F. S. Miller: I have to sit through till 10:30 under any circumstances.

Mr. Warner: You're making up for yesterday.

Mr. Deans: When is the last time you did this?

Hon. F. S. Miller: And besides, until April 5 that's as far as I can see. And what worries me is my pension. My pension isn't in effect that day. That comes as a great shock. The Liberals, who today fell into their own trap—

Mr. Gaunt: We will worry about us; you will worry about you.

Mr. Chairman: Order, please.

Mr. Gaunt: The blame is yours.

Mr. Speaker: Order, please.

Mr. Gaunt: You worry about you, and we will worry about us.

Hon. F. S. Miller: The member for Huron-Bruce is safe anyway.

Mr. Gaunt: Thank you.

Mr. Laughren: One of 36.

Mr. Gaunt: Thank you; I hate to be alone.

Mr. Laughren: I think the member for Huron-Middlesex (Mr. Riddell) is all right.

Hon. F. S. Miller: I was trying to give you some meaty information.

Mr. Chairman: Order, please.

Hon. F. S. Miller: I would point out, though, that health councils are a newly-formed entity. In my 12 visits around the province on a number of occasions I was asked by people at my meetings in January and February whether or not I was referring the issue of closures and constrictions in budgets to the health councils. I said with one exception, no.

My reasons were simple. They had to be. That was, that in fact most health councils had just been constituted. To pass the buck to them to make some tough decisions in their early days would probably have alienated the communities they served against them and, in fact, made them subject to advice they got from us rather than advice they got from their communities. Thus, I chose to take the responsibility myself for the decisions I had to make in this year.

I don't recall your council offered any objections to that suggestion when I was in Timmins. Later on, when there was an error—and I happen to admit to errors—in suggesting that 25 beds be transferred from active to chronic as well as taking the psych load at St. Mary's, they wrote me a rather angry letter, and I don't blame them, saying that they wanted to be involved in that decision. I quickly, immediately—you know that—without any reference to staff, accepted that recommendation. I revoked the decision and agreed that the assumption of the 20 beds by St. Mary's was not a fact that some of my staff were aware of, who had prepared this information well in advance of St. Mary's agreeing to take the beds, and asked the health council to give me their alternatives by June 1.

It is interesting that even where I have challenged the health council to solve my problems, they have asked out. They don't want to solve them. They want to wait until they have had some more time establishing their liaison with their communities before they get a nasty job, such as the closure of beds.

You talked about federal government constraints. You and I see eye to eye on that. But you may well recall me standing up in this House last June and demanding a health minister's conference of all of the provincial health ministers to object to a unilateral decision by the federal government to opt out of 50-50 cost sharing in the hospital and health field, without consultation with the provinces. That meeting took place on Aug. 18, 19 and 20.

It is interesting to me that a unanimous, non-political provincial agreement was reached decrying the decision of the federal government and asking them to revoke or stop Bill C-68, which right now today is before the federal Parliament—and they are going to have to invoke closure to get it through.

Mr. Lewis: So?

Hon. F. S. Miller: No, I am just referring to the things your speaker mentioned in his speech.

Mr. Lewis: I heard.

Hon. F. S. Miller: I don't think it is fair; it has nothing to do with today's constraints, and I don't want to try to pass the buck from me to them. But we were living within a set of rules they created and we did not feel they should opt out when, in fact, some provinces, led by Ontario, had been looking for lower-cost alternatives in 100-cent provincial dollars. Psychiatric care, as you mentioned, is not shared federally. Nursing homes aren't shared federally. Home care isn't shared federally. Ambulance services aren't shared federally and drug plans aren't shared federally. All of those things have been brought in by the Province of Ontario in the belief they were necessary for their people without federal assistance, even though the assistance would have been easy to take, had we opted for a continuation of the high-cost health care programmes they had financed. I think we all know that.

The delegations you referred to were, I thought, very orderly and very thoughtful. Whether we agree upon my willingness to listen or not, I believe we listened and took action on a number of the things they suggested, again, not on all the things they asked for but some.

You asked me about the need to contract the hospitals at all. Great changes have taken place in psychiatric care. I have 15 institutions, some of which like St. Thomas, if I recall figures, have 600 patients where a few years ago they had 1,800. One can only continue to contract the patient load of a given hospital for so long before sooner or later there's a need for the closure of some.

Mr. Lewis: What about your rationalization study?

Hon. F. S. Miller: Which one?

Mr. Lewis: The one on psychiatric care.

Hon. F. S. Miller: I mustn't answer those things. I've been told by your representative in the chair that I mustn't answer interjections.

Mr. Lewis: You told me in question period the other day you'd get an answer to the letter you haven't answered.

Hon. F. S. Miller: I'm looking seriously for that.

Mr. Lewis: You're looking seriously at it, are you?

Hon. F. S. Miller: I must say you've kept me rather busy in here of late.

Mr. Lewis: Come now, you have a very large staff.

Mr. Chairman: Order, please. The hon. minister will continue.

Hon. F. S. Miller: Ah, but my civil servant doesn't look after that aspect.

Mr. Lewis: Any civil servant who can disrupt a health system so artfully can answer a letter.

Mr. Chairman: Order, please.

Hon. F. S. Miller: Anyone who can send copies of my purchase orders to your party must be—

Mr. Warner: A dime a dozen.

Mr. Lewis: If your purchase orders for cars weren't on stationery order sheets, they wouldn't come to us. Where's the rationalization study?

Hon. F. S. Miller: You referred to nursing courses. There will need to be a reduction in the admission numbers of nursing students. I'm sure the Ministry of Colleges and Universities has already taken these steps to tailor the number of graduates more closely to the demand.

Mr. Davison: Fifteen per cent.

Hon. F. S. Miller: Fifteen per cent. Let me say to you I don't know that any educational course in this province has ever been offered solely on the assumption that taking it meant getting a job, has it?

Mr. Davison: But at least they had some possibility of getting a job. Not any more.

Mr. Warner: It is called planning.

Hon. F. S. Miller: We probably have as good manpower planning as any place in the world on that particular topic. Should I answer you on the francophone bit in French tonight or English?

Mr. Deans: Continue with what you're doing.

Hon. F. S. Miller: The only thing I can tell you is if I answer you in French you'll understand me without any problem at all.

Mr. Ferrier: Oui.



**Hon. F. S. Miller:** The trouble is I embarrass the Minister without Portfolio (Mr. Brunelle) when I speak French.

We're concerned and we evidenced that concern by asking for a study.

**Mr. Warner:** Is this French or English?

**Hon. F. S. Miller:** What was that? Switch to English?

**Mr. Warner:** I didn't know whether it was French or English.

**Hon. F. S. Miller:** Monsieur le président, il m'a dit que je dois changer à l'anglais, n'est-ce-pas?

**Mr. Lewis:** Well, you could have run for the federal leadership.

**Hon. F. S. Miller:** Oui, pas question! C'est mon avis, j'aurais été le choix du Parti Progressif Conservateur du Canada, n'est-ce pas?

**Mr. Lewis:** That's the first time the member for Renfrew South (Mr. Yakabuski) has ever applauded for a French speaker.

**Hon. F. S. Miller:** That's because he didn't know what I was saying.

**An hon. member:** Is that the research you did over the dinner hour?

**Mr. Yakabuski:** Maybe we did and we know there is an opening in London for a new leader. Socialism has failed.

**Mr. Lewis:** Who are you anyway?

**Mr. Yakabuski:** He is frustrated.

**Mr. Chairman:** Order, please. Will the hon. minister return to his estimates?

[9:00]

**Mr. Lewis:** Do you belong here?

**Mr. Chairman:** Order, please.

Interjections.

**Mr. Chairman:** Order, please.

**Hon. F. S. Miller:** Mr. Chairman, I am sure there was much more I could have added that would add to the intellectual level of this debate tonight, but I think I should wait for some of the other 22 speakers who are still to come.

**Mr. Chairman:** The hon. member for St. Andrew-St. Patrick.

**Mr. Grossman:** Thank you, Mr. Chairman.

**Mr. Angus:** Are you going to cross the floor?

**Mr. Grossman:** It had to be sooner or later.

**Mr. Riddell:** Lay the cards on the table.

**Mr. Grossman:** Well, Mr. Chairman, may I initially say that I don't apologize one whit for the—

**Mr. Warner:** Point of order, Mr. Chairman.

**Mr. Chairman:** The hon. member has a point of order.

**Mr. Warner:** Should not the Liberal speaker be next in line as we left off with the member from the north of our party?

**Mr. Chairman:** No, the Chairman recognizes the hon. member for St. Andrew-St. Patrick.

**Mr. Yakabuski:** What about the question period?

**Mr. Chairman:** There hasn't been a member from the right-hand of the Speaker's seat for some time. Then we will recognize the member for Wentworth (Mr. Deans).

**Mr. Grossman:** And I will speak for some time, Mr. Chairman.

**Mr. Gaunt:** On a point of order, Mr. Chairman, you mentioned that after the member for St. Andrew-St. Patrick you would recognize the member for Wentworth. We have a number of speakers on this side and I thought we were going in rotation.

**Mr. Chairman:** The Chair will recognize them in order. There hadn't been anybody from your party who had indicated he wanted to speak, but I will recognize them.

**Mr. Gaunt:** I thought you had a list, I am sorry.

**Mr. Chairman:** I have no list.

**Mr. Lewis:** Where did you have dinner, Mr. Chairman?

**Mr. Grossman:** How long are you going to be?

**Mr. Chairman:** The hon. member will continue.

**Mr. Gaunt:** Fifteen minutes.

**Mr. Ferrier:** Come on.

**Mr. Grossman:** Let's wait for Warner.

**Mr. B. Newman:** May I start, Mr. Chairman?

**Mr. Ferrier:** This is a conspiracy against the Conservative Party.

**Mr. B. Newman:** Mr. Chairman, if I may, the first thing that I want to bring to the minister's attention, and he did make mention of it in his reply to other previous speakers, is the consultations. If the minister went through as much consultation as he has made mention that he does—and I am not referring to my own community—I would wonder why the following letter would have been sent to all of the members, or I assumed all of the members of the House, and that is from the president of the Ontario Medical Association. Through you, Mr. Chairman, I would like to bring it to the attention of the minister. This letter is dated today, and it is for immediate release.

The Ontario Medical Association today released the contents of a letter sent by its president to Premier Davis calling for consultation on the closing of hospitals.

Following is the letter:

Dear Mr. Premier,

I am writing to convey to you the grave concern of the physicians of Ontario over the manner in which your government has reduced the projected expenditures of the Ministry of Health. We are particularly anxious about the effects of unplanned closing of community hospitals on the health of the people served by the hospitals, on the employment of the highly skilled personnel working in the institutions, and on the future prospects of communities without hospitals attracting resident physicians.

The council of the Ontario Medical Association, with representation from across the province, has unanimously deplored the projected, abrupt closing of Doctors Hospital, and has been strongly critical of the arbitrary closings of other hospitals. The council recommends a reappraisal of revenues, expenditures and utilization within the health care delivery system.

It is the view of our profession that before a decision is made to close any hospital, the Ministry of Health ought to consult with the district health councils or hospital planning councils where they exist and with the medical profession and with other interested parties. Such discussions would evolve plans for alternative health

care facilities for the people in the community and for relocation of hospital personnel.

The medical profession, through the OMA, has been most co-operative with your government in matters affecting the public and the profession. We believe your government has a responsibility to reciprocate through meaningful consultation on an issue which so seriously affects the public and the profession as does the closing of hospital facilities.

Yours sincerely,  
Donald C. MacNeill,  
President,  
Ontario Medical Association.

I am surprised, Mr. Chairman, after listening for probably six to eight hours and the minister's comments and replies to the various members, that such a letter would have been sent out by the Ontario Medical Association if all of that consultation that the minister speaks of actually took place.

In my own community, I will say there was consultation. I think that the minister did start in—I wouldn't necessarily say the right way—but there was some consultation.

I would like at this time, Mr. Chairman, to centre my remarks essentially around the closing of one hospital in my community; and that is the Riverview Hospital for chronic patients.

Back in early April of last year, I raised three questions with the minister concerning that hospital. One dealt with the rationalization of the facilities and the services in the hospital. Another dealt with the manpower situation and the unemployment situation as a result of the rationalization of services. At that time the minister replied to me that no one would lose their employment as a result of rationalization of the services in the city of Windsor.

The minister can look into Hansard and see that he actually did say that. I think I made mention to him of that at one time in talking with him. I think I even mentioned it to him when he was in the city of Windsor and he met with various individuals who were going to be affected by the rationalizations of services in the community; the meeting held at the University of Windsor.

However, Mr. Minister, since my original asking of the question—and I think it was April 15; it may have been some other day—you have changed your mind and now you state that there is going to be substantial relocation of personnel in the various hospitals in the community.



I am concerned about the loss of jobs as a result of the minister's projected rationalization and the closure of the chronic care facility of Riverview. My first concern is the health of the patients. Is the patient at Riverview going to be provided with that same high standard of hospital care as he had received over the many years that the chronic care hospital has been in existence in the community? I hope that that same standard of care will be maintained.

The minister knows as a result of the discussions during his estimates back in May—and I think May 5, 6 or 8 were the other two dates in which we had debated the estimates of the ministry—all three members from the Windsor area took part in an attempt to point out to you at that time, Mr. Minister—

**Hon. F. S. Miller:** On a point of order, may I just ask for the reference you are speaking to in terms of dates. I would like to see Hansard on it, and I need to know it.

**Mr. B. Newman:** Right. I can't give you the exact date, but I think it was April 15. If someone from your staff looks in the Hansard directory under Riverview Hospital, they can get those dates.

**Hon. F. S. Miller:** It is probably not printed.

**Mr. B. Newman:** It is printed, Mr. Minister.

**Hon. F. S. Miller:** In book form?

**Mr. B. Newman:** Yes.

**Hon. F. S. Miller:** Is it in response to a question, or in terms of estimates?

**Mr. B. Newman:** That was in response to a question, originally. I asked three questions before anyone was interested in hospital closures. Later, we got into the discussion of your estimates and the closing of Riverview Hospital at that time. I think it was early in May if I'm not mistaken—May 5, 6, 7, 8, around that period of time—in 1975. Your officials can look in Hansard and see exactly what you've said as far as the loss of jobs in the community was concerned.

However, I want to carry on. As I said earlier my prime concern is the delivery of services to the individuals who require these services at the Riverview Hospital. I am very much afraid that by dispersing the patients in Riverview you may be doing a real disservice: I hope you will not do any harm to them as individuals. I hope not. However, I look upon your fragmenting the various teams which provided these services to the patients.

You are going to break up these health delivery teams and as a result it is maybe going to be very difficult to provide the same level of care that the people received.

You're aware of the whole situation in the Windsor area. You have debated it back and forth not only with me but with the other two Windsor members. I ask you to reconsider some of the decisions which you have made.

Remember there was the Essex County Health Council that met and made certain proposals but you sort of used the bull-headed approach—"It has to be my way"—rather than the general way as recommended by the health council in the community. I hope that you reconsider what plans you have had and keep that Riverview Hospital open until the time you or your ministry or your successor deliver to the community just what the ministry, your predecessor, had promised.

That was a chronic care facility stationed in or in conjunction with the IODE hospital so that we could move the patients en masse out of Riverview into the facility at IODE without disrupting the valuable health delivery teams which have been developed in the Riverview Hospital.

It was back in 1973—in fact I happen to have a letter dated Oct. 11, 1973, that says:

The Essex county council has passed a resolution to share in the cost of construction and the Essex County Hospital Planning Council has also approved the building of a new chronic care hospital.

This communication happens to be dated Oct. 11, 1973. I would assume that had been discussed at some date prior to Oct. 11.

I would think it was probably some time in September because on Oct. 3, 1973, the Windsor Star carried a headline, "Hospital Addition Reduced." It was referring directly to the new chronic care facility which we thought, in good faith, was going to be built at the IODE or the Windsor Western Hospital site. That was in 1973; that's 2½ years ago now. Surely, when you make a commitment like that—and this is for the betterment of the health services in the community—we in the area would think you would fulfil that commitment.

I know you are going to say that you people didn't approve of that; that this was only a recommendation of the Essex County Hospital Planning Council. I hope you don't tell me that. I hope this was in your plans. If I am not mistaken since that date some \$1 million has been expended in the planning of the new facility. Is that \$1 million going to go down the drain today?

[9:15]

You are asking the community to save you \$4 million in health costs. The \$4 million of the \$50 million that you are attempting to save through your rationalization in hospital closings is the equivalent of eight per cent of the moneys being asked to be saved in the community of Windsor alone. We have only four per cent of the population. You are asking us to make twice the contribution of the average in the Province of Ontario. That is not fair.

Our people pay the same OHIP premium as do people in all other parts of the province and we would like to have a fair share of the health dollar spent in the community or spent in the delivery of health services. We hope that you reconsider any decisions, that you come along and keep the Riverview Hospital at higher than the 120 figure that you or your officials are suggesting and that you do not delay until 1980 on the building of a chronic care facility. You have got to do it. You are going to save money by doing it because in your plan as you have it today—and that is the redistribution of the patients from Riverview into three acute care hospitals—you are really only shifting costs from Riverview, in which the patients are accommodated at a substantially lower figure, to higher cost hospitals in the community. You certainly are.

**Hon. F. S. Miller:** Really and honestly, one must look into the arithmetic of chronic care before you make a comment like that. Unlike active care, we pay a per diem for chronic care and it is not the active treatment rate. Please check that.

**Mr. B. Newman:** The minister can use that argument; I will use my argument.

**Hon. F. S. Miller:** But you are wrong.

**Mr. B. Newman:** I don't think I am wrong.

**Mr. Deans:** That has never stopped him before.

**Mr. Warner:** You have been wrong all day today.

**Mr. Lewis:** This has not been a good day for them.

**Hon. F. S. Miller:** It hasn't been; they have been wrong all day.

**Mr. Chairman:** Order, please.

**Mr. B. Newman:** Then what you are saying is that, for the hospitals in the community now that do not have beds occu-

pied, the costs there are still at that higher figure than what they are at the Riverview Hospital.

**Hon. F. S. Miller:** No.

**Mr. B. Newman:** You say no?

**Hon. F. S. Miller:** You are wrong.

**Mr. B. Newman:** Well, you can reply to me a little later. I will continue with this. As I said, this promise was made by your government in 1973. No issue in my day in this House has disrupted the community to the extent that the closing of Riverview Hospital has done. It has absolutely got everyone in the community very much perturbed at the actions of this ministry and at the actions of the government. It has solidified the feeling and the concern of all of those who would like to see the facility operate at a reduced bed capacity—but not reduced to the extent that you want to reduce it—and to continue and at as early a time as possible to complete a new facility at the IODE centre.

I understand that you could go on one portion of it, and over a period of time really complete the whole hospital. I hope the minister does construct that new facility for the health of the many who require the services of Riverview Hospital. Your actions or your decisions to phase out or to close out Riverview Hospital have brought all kinds of protests. There have been protests from every level of society in the community—from workers in plants, caretakers in the hospitals, housewives, the medical profession, both the students and the educators in the four levels of education—everyone was completely upset.

In fact, there were even members from one of the union locals who picketed the hospital because of the decision of the government eventually to phase out Riverview Hospital.

Here are some newspaper headlines on Riverview. Sept. 24, 1975: "Pickets Protest Cut At Hospitals." Nov. 4, 1975: "People Should Fight for Riverview Hospital." November 1975: "Staff At Riverview Give Hope And Courage." That was an individual writing that the staff were so concerned about the situation that they were the ones who were maintaining the morale of the patients in the hospital. November 1975: "Riverview Closing Spurs Loud Outcry." November 1975: "Labour Group Goes to Bat for Riverview." Nov. 18, 1975: "Aldermen Rally Behind Riverview."

On November 17, 1975, city council passed a resolution at its meeting asking the minister to reconsider his decision regarding the closing



of Riverview Hospital and that the operation of these facilities be continued. On Dec. 2, 1975, the city of Windsor endorsed a resolution from the district labour council concerning Riverview Hospital. On Nov. 25, 1975, the town of Riverside passed a resolution concerning the keeping of the Riverview Hospital alive.

Mr. Chairman, listen to this letter from a patient in the hospital:

(My name is Mary "So-and-So." I have MS. My husband took care of me when I was in a wheelchair for five years until he had his heart attack. Then, I had to come to Riverview. It is not funny to know that I will never get better. I accept this, but it was hard for me to come to Riverview. Now I'm happy here because I have good care.

We have wonderful doctors and kind nurses who try to take care of us. The people in the therapy area are very kind and try very hard to help us. The whole people of Riverview make us feel not like patients, but like a family, from the youngest to the oldest, who is over 100.

We wish to stay in Riverview until we have a new building. Otherwise we are asking you to guarantee us the same kind of care we have in Riverview.

Here is the pleading from an individual who is afflicted with a type of ailment that none of us would like to be bothered with.

The minister earlier in his comments made mention of an editorial in the Windsor paper that was sort of complimentary to him. But the minister never mentioned the editorials that made mention of false economies in hospital plans. The minister's comment is concerning a Feb. 12, 1976, editorial: "Hospital Programme—Tough but Needed." But he does not mention a Nov. 13 editorial:

#### False Economies in Hospital Plan

The Ontario government's proposal to rearrange Windsor hospital services in the interests of economy have a strange flavour of false economy.

I'm not going to read the rest of the editorial because if I'm not mistaken I read it into the record when we debated your estimates back in May, Mr. Minister, and I'm fairly certain that your officials have all of these editorials. If they don't have them here they'll show them to you at a later time.

But, Mr. Minister, you can see that practically everyone in the community is extremely concerned over your proposed closing of the hospital, or phasing it down to a point where you may—and I hope not—interfere

with the health delivery to the many individuals who require the services provided in Riverview Hospital.

I do understand that the Windsor Western Hospital would like to build a new facility; that they do have sufficient funds to start it. I wonder why you wouldn't come along and allow them to use these funds in an attempt to provide the type of chronic care facility that I know you want. You are essentially a kind and considerate individual but sitting to the right of you are individuals who are looking at only dollar signs, not at individuals—

**Hon. F. S. Miller:** They're not even that good.

**Mr. B. Newman:** —not at the needs, the health needs. It's the same as with your officials back there. I think they are considerate. I don't think they are as inhumane as some may say. They have simply been misled, and they are following what your colleagues are telling you you must tell them—that is, to find some method of phasing out some of the hospitals that are providing an extremely high level of service to the patients in various communities throughout the province.

The phasing out of Riverview completely is going to have a harmful effect on the employment picture in the community. As I said earlier, my prime interest is in the health of the patient—the health services provided to the patient—but there is also another concern too and that is the fact that so many of the employees are not going to find employment. We have 10.3 per cent of our work force in the city of Windsor unemployed at this time. It's many and many a year since we've had that high a figure and, surely, you aren't going to add to that figure to increase it substantially. I hope you are not, in the interests of the delivery of health care to the many who require it in the Riverview Hospital.

You make mention that we're going to take these people and put them into Metropolitan Hospital, into IODE and into Grace. With three other hospitals in the community you're going to take a certain category of patient out of Riverview and put them into these other hospitals. What you are doing, Mr. Minister, is putting them in a hospital that has to have renovations. Anyone I have ever consulted says you cannot have certain categories of chronic care patients in the ordinary type of hospital because of the changes needed—washroom facilities, doors, elevators, everything of that sort.

So it's really false economy when you think you are going to come along and provide that same type of health service when you're going to put them into active treatment hospitals in the community. The cost of those alterations could be better put into the construction of that 1973-planned chronic care facility in the community.

[9:30]

I am also told that if you contacted any one of the hospitals today a person needing psychiatric treatment could not get a bed. What are we going to do with them? You've rationalized the services in the community—or you have closed up some of them—to the point where the individual needing psychiatric treatment—has no place to go.

I hope, with the few comments I have made here, that you will reconsider the decision to reduce substantially the number of beds at the Riverview Hospital. We are willing to accept certain reductions. We are willing to rationalize the services. We are willing to play our part and to pay our share in the community but when you ask us to be responsible for eight per cent of your cutbacks when we have only four per cent of the population, you are asking for twice the sacrifice from the residents of the city of Windsor and the Essex county area than you are asking for from many of the other communities in the province.

Mr. Minister admit you made a mistake. Don't worry about what your colleagues will say to you. It's easy to be stubborn and bull-headed. You erred in the Windsor situation. Reconsider your decision.

**Mr. Eakins:** Reconsider.

**Mr. B. Newman:** Did you hear that? Thank you, Mr. Chairman.

**Hon. F. S. Miller:** The latter speaker's last—well, I don't know what you would call them—exhortations to me made me think of the old Irishman who was dying. The father came in to give him the last rites and said, "Do you renounce the devil?" And he said, "At a time like this, Father, I don't want to alienate anybody." I feel much the same way in responding to this. I have answered most of the detail you talked about earlier.

**Mr. McClellan:** What have you got against the Irish?

**Hon. F. S. Miller:** My mother was one.

**Mr. Samis:** What about the RCs?

**Mr. Lewis:** Why do you attack ethnic groups whenever you have the opportunity?

**Hon. F. S. Miller:** Do you realize I married an immigrant?

**Mr. Lewis:** Most of us did.

**Hon. F. S. Miller:** Yes.

**Mr. Samis:** Most of us are.

**Mr. Deans:** So did my wife.

**Hon. F. S. Miller:** Yes, she told me the error of her ways. Interestingly enough, my wife and your wife's husband came from the same country.

**Mr. Deans:** Is that right? It just shows you.

**Mr. Davidson:** Please respond. The hon. member is waiting to speak.

**Hon. F. S. Miller:** In a more serious vein, first of all, by the time the final suggestions made by your council were taken by us and accepted, the savings were considerably less than the \$4 million we asked for. I mentioned that in responding to the member for Windsor-Sandwich.

**Mr. B. Newman:** It was \$3.7 million.

**Hon. F. S. Miller:** No, they were down by their estimation to \$3 million—to \$3.2 million. I hope you are right because, methodology being what it is, it might be a bit difficult, until the change was made, to give a final dollar figure on it. I would suspect that your population rate and the percentage of the savings effected in Windsor are not too far out of line. Be that as it may, it is recognized that 25 per cent of the population lives in the city of Toronto—Metro Toronto—and that is an area where the savings were taken in 1973 and were not there to be taken in any significant percentage. Again, it was a very high percentage. I keep repeating, 80 per cent of the total bed cuts or 80 per cent of the dollar savings that I took in this last round, were in the cities, I'm told. I'm sure you'll find I may be out by a per cent or two, but it was in that range.

But what disturbs me most is the belief that you express—and you're a person I have respected, and I still respect, because of your long-term interest in preventive care, exercise and all those things that I believe in—that more dollars and more hospital beds mean more health; they don't.

**Mr. B. Newman:** I don't necessarily believe that. I'm simply trying to point out, as you



know, that the facility is antiquated. You know you're eventually going to build a facility for them; in fact, you yourself say it will be in 1980. You can accelerate that.

**Hon. F. S. Miller:** Mr. Chairman, should one build beds today when surpluses exist and beds are sitting empty? In that city there will be beds empty even after these changes and without Riverview.

**Mr. B. Newman:** But whose fault is that?

**Hon. F. S. Miller:** It's not a fault.

**Mr. B. Newman:** What do you mean, it isn't a fault?

**Hon. F. S. Miller:** Let me point that out. It is not a fault.

**Mr. B. Newman:** Your government approved the construction of those other hospital beds.

**Hon. F. S. Miller:** Right. But I've also had letters from every member of this House, I think, asking me for more nursing home beds in the last few years. Have I not had a letter from almost every member, at least of the previous House?

**Mr. B. Newman:** I don't think so.

**Hon. F. S. Miller:** Well, there are not too many of you who were in the last House—

**Mr. B. Newman:** I don't think I've ever written you a letter on that.

**Hon. F. S. Miller:** Well, you must be one of the exceptions. Certainly I've had them from Windsor, I've had them from the north. I've had them from almost every riding—I won't say every one.

Dr. Potter, in his wisdom, albeit sometimes criticized, pointed out that we couldn't continue creating more and more expensive hospital beds and that the alternatives had to be provided. And contrary to the comments made by many critics, he and we provided them first and then cut back on the active beds. That's what permitted a change in the overall provincial planning standards for active treatment beds. I'm reasonably sure they can be cut further without affecting the health of us in this province.

Chronic beds cost less than active beds, and they will cost less; I think the savings are greater than we compute in some ways. When we utilize the existing beds in existing hospitals—rather than carry on with five institutions, we'll have four—we will still have

spare capacity. To the best of my knowledge, although I stand to be corrected if my staff can tell me I'm wrong, we didn't change the psychiatric bed setup in Windsor. We suggested changes, but we listened to the arguments of your hospital council and accepted their recommendations. Is that not so?

**Mr. B. Newman:** I don't know.

**Hon. F. S. Miller:** It's true. I read the letter into the record earlier and I think you'll find we accepted their recommendations on psychiatric beds after due consideration. Therefore, the present three hospitals providing psychiatric care will continue providing it. Our staff and our psychiatric advisers suggested there were both good savings and good reasons for consolidation, but your hospitals and your council felt otherwise and we accepted that advice. We did ask them to look at paediatrics and obstetrics, and we gave them a year to give us an answer. And surely, again, that was fair. That was their suggestion and again we accepted it.

So really, in all seriousness, I think of all the places in the province that have had to face some of the tough decisions, Windsor has had a fair shake. Windsor has participated, Windsor has been listened to and, apart from some of the predictable public reactions, Windsor is reasonably satisfied.

**Mr. B. Newman:** I did make mention at the outset of my comments that you did consult in our communities and we appreciated the opportunity of having input. But consultation only goes up to where it meets your standard or your requirement and after that the heavy hand comes down.

You can recall that the suggestion from the health council was for 160 beds to be maintained at Riverview Hospital. You insisted on 120 beds. All I ask you is to guarantee the community that the individuals at Riverview will get the same kind of health care as a result of your rationalization and that you keep in mind that a new chronic-care hospital or transforming one of the hospitals into a chronic-care hospital is by far a better answer than distributing those requiring chronic care through four or, as you say, five facilities in the community.

**Hon. F. S. Miller:** Until the changes are effected I can only say I hope and trust the quality of care will be up to the standards that exist today. I took the time to look up the April 14, 1975, copy of Hansard, and unless we have researched the wrong copy, I don't see—

**Mr. B. Newman:** Right at the bottom of the Hansard, in the right-hand column, the last couple of lines.

**Hon. F. S. Miller:** Well, I must have the wrong one then. So therefore rather than argue with me, you did pose the question but you did not get the answer that you claim I made. I would appreciate your making reference to it specifically if you can find it.

**Mr. B. Newman:** I will do that personally.

**Mr. Grossman:** Mr. Chairman, I hope you will allow me to speak with as much clarity and length as you did before you assumed the Chair. I also say that I have learned my lesson. The member for Windsor-Walkerville said he would be about 10 or 15 minutes, but it's not the first miscalculation he has made today.

**Mr. Warner:** Take your time.

**Mr. Sweeney:** You are wasting time. Come on, there are 20 more of us over here.

**Mr. Grossman:** I don't really have to repeat just for the sake of Hansard or the record a lot of those valid points that have been made with regard to Doctors Hospital by both opposition parties, and I won't purport at length to do so. Suffice to say, before I cover some similar ground, lest my friends in Her Majesty's loyal opposition took me the other day to suggest that they ought not be supporting the fight against Doctors Hospital, let me assure them that I do quite understand that very many of their constituents are seriously affected by the closure, as are a great number of mine.

As one who has made clear that I would oppose the closing if I were aware of the facts, as I am, even if it were not in my riding, let me say that it ill behoves me to suggest that the members opposite ought not do the same when they become equally aware of the facts, which is not, however, to say that I quite approve in any way whatsoever the way they conducted themselves or handled themselves at those meetings at which were assembled very many hundreds of threatened people who were trying to guess which way to move at the particular time.

Having said that may I assure them that any facts they brought out during the debate I am very happy to receive and I will attempt as a result not to get emotional unnecessarily, nor to get involved in too much rhetoric during my remarks about this hospital.

[9:45]

As the minister will attest, I have done my share both outside the Legislature, and inside this building outside of this assembly. I would like to begin by referring immediately to the statement issued by the ministry on, I think it was Monday, Feb. 2, when they discussed the oncoming hospital closures in Metro Toronto. At that time on page 3 of the release, the ministry stated under "Hospital Closures" the following:

We determine where closure is possible by looking at hospitals with an alternate facility within reasonable travelling distance and institutions where a building programme was essential for the continuation of its operation. In our review we also assured ourselves that the facilities nearest these institutions could accommodate the additional patient days. In many instances, the hospitals identified for closure have occupancy rates that are considerably lower than their peers. Virtually all hospitals identified for closure have an average length of stay higher than comparable facilities, a reflection of under-utilization.

Well, as has been the habit, I think I may deal with those in reverse order. That may cease, because the member for Sudbury East (Mr. Martel) was advising the minister at some length on how to handle question period tomorrow a little earlier.

**Mr. Lewis:** The minister works only in reverse.

**Mr. Grossman:** I understand.

**Mr. Lewis:** Therefore, he answers only in reverse order.

**Hon. Mr. Miller:** Even though I went to Mr. Transmission.

**Mr. Lewis:** That isn't you. That's your colleague in Community and Social Services.

**Mr. Grossman:** I think I will save my election rhetoric. I may need it shortly. In any event, "average length of stay higher than comparable facilities." This is one of the criteria for closure. Well, not only is that not true about those hospitals there in the peer group of Doctors Hospital but it is even more untrue about the hospitals in the vicinity of Doctors Hospital. Let me quickly recite some comparable average length of stay periods.

For the peer group in Metro Toronto, the Doctors Hospital has an average length of stay of 7.5 days. The peer group: Etobicoke General, 7.8; Humber Memorial, 9; North-western General, 7.7; Queensway, 10.1; York-Finch, 7.8. Those are the peer groups.



Now let's look at the downtown Toronto teaching hospitals—St. Michael's, 12.1 days; Toronto General, 10.8; Toronto Western, 12; Women's College, 9.7; Wellesley, 11.6 and so on and so on. They are all, without exception, hospitals which have a longer average length of stay than Doctors Hospital.

So when the ministry says, "In many instances the hospitals identified for closure have an average length of stay higher than comparable facilities," it is inapplicable to the Doctors Hospital. Secondly, the ministry goes on: "In many cases, the hospitals identified for closure have occupancy rates that are considerably lower than their peers." Occupancy rates are supposed to be considerably lower than their peers if the hospital was closed. Well, the Doctors Hospital has 83.9 per cent occupancy. What about the peer group that wasn't closed? Humber Memorial is busier, 92.7 per cent; Northwestern General, 78.4 per cent; Queensway about the same, 84.3 per cent; York-Finch, 83.6 per cent, about the same. Certainly Doctors Hospital has a percentage of occupancy which is equally sufficient and certainly not "considerably lower" than its peers.

Try another criterion. The ministry says: "We also assured ourselves that the facilities nearest these institutions could accommodate the additional patient-days."

My friends and some others opposite have pointed out that the bed surplus, the ability to accommodate the patient-days, is clearly denied by the adjacent hospitals. It's not there. Or there is some feeling that more patient-days could be squeezed into those beds. The institutions themselves have denied that they can accommodate all the additional patient-days. With regard to that surplus, with regard to that ability, the Henderson report, which was referred to earlier and quoted, has also indicated that there isn't a bed surplus that is close enough or indeed existent at all in order to "accommodate the additional patient-days."

Surely if it is a fact that the institutions nearest can accommodate those additional patient-days, it's no great trick for the ministry to identify where that accommodation will occur, to what extent and how many patient-days will be picked up. But they can't do it for the simple reason that the hospitals in the vicinity can't do it; they can't indicate their ability to pick up those additional patient-days at any cost—and we'll get into the cost later.

So the ministry has not assured itself, nor has it assured this member, this assembly or

the institutions involved, that those institutions can accommodate the additional patient-days.

**Mr. Nixon:** Has he assured you there will be a saving in money?

**Mr. Grossman:** It hasn't satisfied me as of yet.

**Mr. Grande:** Are you going to resign?

**Mr. Nixon:** He has got until tomorrow, I understand.

**Mr. Grossman:** Until the 5th.

**Mr. Nixon:** Oh well, lots of time.

**Mr. Grossman:** May I also say to my friends opposite, I appreciate their support. I know they find it shocking when a party does not exercise a strong whip on all of its members and permits one of its members to speak out on a matter about which he feels very strongly.

**Mr. Samis:** It is healthy.

**Mr. Reid:** You know that it is all a plot to get rid of you.

**Mr. Nixon:** But your hospital closing was just a political token, you know; you are just a show Tory.

**Mr. Grossman:** I was about to give you a compliment—

**Mr. Speaker:** Order, please.

**Mr. Warner:** They've saved your seat on the far right.

**Mr. Grossman:** No kidding.

Interjections.

**Mr. Grossman:** I was about to give you a compliment, Pat, but you blew it; now I'm not going to.

Interjections.

**Mr. Grossman:** That's something that some of the more democratic parties in this country and in this Legislature can allow; it keeps them healthy and it is something I suggest should be commended. I appreciate your support anyway, even though your mouths are agape.

Interjections.

**Mr. Grossman:** Secondly, the ministry continues: "Institutions where a building programme was essential for the continuation of its operations." Mr. Chairman, lest anyone still wonder whether or not the institution

requires a building programme for the continuation of its operations, let me first reaffirm the ministry's position. In the fact-sheet that was distributed with regard to the Doctors Hospital on the announcement of the closing, on page 2, under "Selection," the ministry goes on to say:

The principal reason that Doctors Hospital was selected for closure is simply that the hospital would have had to have been totally replaced within the next few years.

**Mr. Grande:** They know it is not true.

**Mr. Grossman:** I'll tell you why it's not true. Firstly, the ministry has seen to it that it's not true by spending a heck of a lot of money on the building in the last five years. Let me just run through a few of them. These are works completed since 1971: Complete implementation of changes requested by the Ministry of Health to conform with updating of requirements of the Fire Marshal; reworking of the medical gas system; alteration of access to patient bedrooms; alteration of previously poorly utilized admitting and emergency suites; rearrangement of nurseries; replacement of eroded water supply; modernization of dishwashing facilities; addition of ventilation systems; redesign of main entrance; re-roofing of both the original hospital buildings; three new heating boilers; air-conditioning and humidity control for safety; addition of facilities to enable the electric wiring of all patient areas to be put on emergency standby power; elimination of waste incineration to suit the air management branch; addition of new small pathological waste incinerator; reworking of the waste chute; paving of the parking lot; redesign of a proper coronary care unit; general rearrangements of the cafeteria; and a miscellaneous set of works to update the mechanical and the electrical installations. I could go on—

**Mr. Chairman:** There seem to be quite a few conversations going on in the House; I wonder if we could be a little more quiet and listen to the member.

**Mr. Grossman:** It will be quieter after the election, Mr. Chairman.

**Hon. F. S. Miller:** Please turn left.

Interjections.

**Mr. Chairman:** I would like a little bit of order, please.

**Mr. Nixon:** You are a very harsh chairman.

**Mr. Chairman:** Will the member continue?

**Mr. Grossman:** The hospital quite sensibly sought out and obtained an architect to give an independent assessment of the building. Let me quote just one portion of his report:

Certainly at this time, after all of the work done in improving its planning and fabric, your complex need not be replaced for any functional reason and not within a few years. The existing plant will survive without anything more than usual maintenance cost for as many years as the government may desire.

That's the certified report of an architect who studied the building one month ago.

In any event, notwithstanding that, if it was felt that the building was one in which "a building programme was essential for the continuation of its operation," and if it is evident that the building can continue for a few years and where the government acknowledges that the building and the operation is an efficient one, surely the government should make do with that older facility. After all, the name of the game is to save money—not to close hospitals, not to close beds, but to save money.

Finally, the fifth criterion, or the first in their order, is an alternative facility within reasonable travelling distance. Well, I suppose we can't deny that there are alternative facilities within reasonable travelling distance but whether those alternative facilities can accommodate the additional cases, whether all the doctors on staff get into those hospitals and, most importantly, whether the patients can and will travel and be welcome at those institutions is another matter. More to the point, there has been no analysis which shows that these alternative facilities within reasonable travelling distance can take on those cases and treat them as inexpensively as the Doctors Hospital has been treating those very same cases.

**Mr. Chairman,** I suppose I need not read into the record all of the evidence that shows that the Doctors Hospital was perhaps the second or third most efficient hospital, by all standards and including all hospitals of all sorts, in the province. I need not do that, because the minister in question period acknowledged the efficiency of the hospital and the fact that efficiency did not play a role.

[10:00]

Suffice it to say then that an analysis of hours of work per day, which is generally accepted as the most accurate standard of efficiency and the most crucial one in view



of the fact that salaries comprise 80 per cent of the operating budget, shows that the Doctors Hospital substantially outstrips and outperforms all other hospitals. Most important—

**Mr. Lawlor:** You may perjure yourself on this one, and save a by-election.

**Mr. Grossman:** —if I do, I'll win it.

**Mr. Martel:** Don't count on it.

Interjections.

**Mr. Grossman:** If I don't my successor as nominee for this party will win it.

**Mr. Martel:** Who are you running for, the Liberals?

**Mr. Grossman:** Maybe my predecessor will come back.

**Mr. Samis:** That is nepotism.

**Mr. Nixon:** Lots of other good ridings.

**Mr. Grossman:** We've done it before.

**Mr. Nixon:** What are you getting out of them?

Interjections.

**Mr. Grossman:** That's what I say—mostly held by Her Majesty's loyal opposition.

Hours of work per diem—Doctors Hospital, 11.1.

**Mr. Grande:** How do you tolerate him?

**Hon. F. S. Miller:** We are a democratic party.

**Mr. Grossman:** That's right. I say to the member for Oakwood I have explained that we do have a democratic party and my friends on this side of the House may not be happy tolerating it but accept it as part of the system. That's the system over here.

**Mr. Samis:** Why be so defensive about it?

**Mr. Grande:** I want you to speak.

Interjections.

**Mr. Grossman:** I know it isn't quite the same over there. I know you all believe in everything that happens over there.

**Mr. Warner:** Do you oppose it?

Interjections.

**Mr. Chairman:** Order, please.

**Mr. Grossman:** In any event, getting back to the Doctors Hospital, which is why I'm on my feet. The Doctors Hospital, 11.1 paid hours of work per day. Toronto General, 19.8. Toronto Western, 17.2. New Mount Sinai Hospital, 21.2.

**Mr. Martel:** That's an exercise.

**Mr. Grossman:** Suffice it to say I do not allege that these other hospitals are operating inefficiently. I do not say that they should be penalized. What I do say, is that when you're saving money, how can you save it by closing down your efficient-running Ford and shifting everyone over into a Cadillac?

**Hon. F. S. Miller:** Mr. Chairman, I have to rise on a point of order.

Interjections.

**Mr. Chairman:** Order, please.

**Mr. Warner:** It is a fine time.

**Hon. F. S. Miller:** I don't mind him criticizing me as Minister of Health but when he starts talking about efficient-running Fords to an ex-GM dealer, it's just drawing the line a little too fine.

**Mr. Martel:** That is a point of distinction.

**Mr. Chairman:** The hon. member will continue.

**Mr. Grossman:** When the ministry wants to shift people out of Chevrolets which are running efficiently and into fancy Cadillacs which are well run but which by their very nature, cost more to run how are you going to save money? I would say that I can't neglect the fact—

**Mr. Martel:** Resign.

**Hon. Mr. Rhodes:** The member for Sudbury East is an expert on Cadillacs and big houses.

**Mr. Martel:** Inco gave me one.

**Mr. Warner:** Tell him about switching sides.

**Mr. Chairman:** Order, please.

**Mr. Grossman:** I wouldn't call the member a Cadillac; perhaps a tank but not a Cadillac.

Moving from those five criteria—the Doctors Hospital does not fall into any of them—generally, when applying them to the closing, we must deal with how and why you're going to save money.

I hate to say that private industry would do it better—and I'm not saying that—what I am saying is that if we were dealing with a situation in private enterprise—of closing down one plant, to move that facility into another plant—there would have been a very careful analysis of exactly—

**Mr. Nixon:** Doctors Hospital used to be a private industry until it was nationalized.

**Mr. Grossman:** Some days I wish it still were. There would be a careful analysis of exactly what is happening in the old plant—exactly where the people who worked in the old plant were going to go; exactly where the input was going to be replaced and turned out; exactly where all that production was going to occur; and should have said where that saving would be effected and what the new product coming out of the new plant would cost.

I understand, certainly, it's more difficult to do it in the health field. But I suggest, as well, that it's not totally impossible to have a fairly good idea, with fairly good reasons and fairly good reasoning within some percentage of error, before you go about throwing 600 people out of work. You can't just do it and guess that somehow we can squeeze the other institutions, because you may be wrong.

**Mr. di Santo:** You're darn right he can. The minister is incompetent.

**Mr. Grossman:** It seems to me that in Metro Toronto the downtown Toronto hospital budget is somewhere just over \$200 million. Taking the other hospitals in Metro, the total is somewhere around \$430 million or \$450 million. It's inconceivable to me that this was the only way in which this saving could be effected.

Surely a general squeeze on the system would have put that additional pressure on those beds, wherever they be located, wherever those alleged vacancies occur, sufficiently to save \$6.5 million. I quite agree with the minister when he says that if he can squeeze those \$450 million down to save \$6.5 million and close the Doctors Hospital or any other hospital, then he must consider saving money each and every place that he can. In other words, he may suggest it's not an either/or situation. That's fair enough. But we're dealing with the same beds. We're dealing with the same problem which, in essence, stems from the conclusion that there are about 400 surplus beds in Metro Toronto.

This House has discussed in some detail, as has the Henderson report—and I won't burden the House with hearing all that over again with all the arguments—that there is, in fact, no surplus. I believe there is little or no surplus. The Henderson report is not usually one of my favourite documents. The special programme report, isn't that what they call it? In any event, suffice it to say I don't believe there is much of a surplus, if any, and if there is one, no one can quite identify it.

I think the feeling is that the surplus is in the availability of beds and in the minister's acknowledgement that where there are beds they will be filled. So the name of the game, really, is to put pressure on beds; to have those beds turned over more quickly than they're being turned over at the present time.

Let me comment that here is no hospital in Metro that turns over beds as quickly as the Doctors Hospital. I won't bother you with all the figures. Trust me, the figures are here.

**Mr. Singer:** Why don't you tell the minister about this, not the rest of us? The minister is the fellow.

**Mr. Grossman:** And if you want to get the other hospitals to somehow see if they can push through more patients—

**Mr. Singer:** But you are on the wrong side of the House to make that speech.

**Mr. Grossman:** —in the same number of beds, that's fine. Squeeze all over; squeeze on your \$430 million, but don't—

**Mr. Singer:** Larry, who are you preaching to?

**Mr. Grossman:** Unfortunately, I'm preaching to somebody who has already heard it.

**Mr. Singer:** In other words, the minister has turned his back on you. Who are you preaching to, Larry?

**Mr. Grossman:** But do not squeeze one portion. Squeeze all of them, including the staff portion, wherever they may be.

**Mr. Singer:** Preach to Miller. He won't even listen to you. He turns his back on you.

**Mr. Grossman:** He's listening. He's heard it.

**Mr. Singer:** Listen to your own member. You are going to defeat him.

**Mr. Chairman:** Order, please. Order.



**Mr. Grossman:** The minister is tired. He spent a long time listening to your members.

**Mr. Singer:** Yes, he's tired and sick.

**Mr. Nixon:** He's about to retire.

**Mr. Chairman:** Order, please.

**Mr. Grossman:** He spent a long time listening to your members go on at length. It's our turn over here.

**Mr. Singer:** Who closed your hospital?

**Mr. Nixon:** Yes, he is tired and sick. Who closed your hospital? Miller closed your hospital.

**Mr. Chairman:** Order, please.

**Hon. F. S. Miller:** Mr. Chairman, please ask them to refer to me as the Minister of Health.

**Mr. Singer:** No, Miller closed your hospital.

**Mr. Chairman:** The hon. member for St. Andrew-St. Patrick.

**Hon. Mr. Rhodes:** Mr. Chairman, if the interjections are going to come from the hon. member, why doesn't he move to his proper seat? That's what he is supposed to be doing.

**Mr. Chairman:** Order, please.

**Mr. Singer:** Come on, come on. It is your fault. You gave it to him.

**Mr. Chairman:** Order, please. The hon. member will continue.

**Mr. Singer:** You are punishing him for having been fired. Too bad.

**Mr. Chairman:** Order, please. Will the hon. member return to his seat if he wishes to address the Chair?

**Mr. Grossman:** I just want all the candidates from St. Andrew-St. Patrick to know what was happening in the House the evening that we were debating the Doctors Hospital as it applies to the party that inadvertently caused the election.

**Mr. Martel:** So you would resign?

**Mr. Chairman:** Order.

**Mr. Grossman:** At least the opposition and I were discussing the hospital.

**Mr. Singer:** Miller cancelled your hospital.

**Mr. Grossman:** Meanwhile back at the hospital.

**Mr. Singer:** Yes. Miller cancelled it.

**Mr. Chairman:** Order, please.

**Mr. Singer:** All the people who like doctors have to pick on Miller.

**Mr. Chairman:** Order, please. Will the hon. member for Wilson Heights kindly refrain from interrupting?

**Mr. Singer:** No, no. Kick me out.

**Mr. Chairman:** Will the hon. member return to his seat if he wishes to address the Chair?

**Mr. Singer:** I am sorry, Mr. Chairman. Miller cancelled the Doctors Hospital.

**Mr. Chairman:** Order please. The hon. member will return to his seat if he wishes to address the Chair.

**Mr. Singer:** I am not addressing you, I am just commenting.

**Mr. Chairman:** The hon. member will continue.

**Mr. Grossman:** The hon. Minister of Health cancelled the hospital and Smith, the leader of the Liberal Party, said he thought a supportable case could be made out for the closure of the Doctors Hospital.

**Mr. Singer:** How are you going to find any work? Are you going to vote with the Minister of Health?

**Mr. Grossman:** That's what he said. Of course, that was the morning of that day.

**Mr. Singer:** Tell us why it was justified.

**Mr. Chairman:** Order, please.

**Mr. Grossman:** Mr. Chairman, in analysing what is going to happen after the closure of the Doctors Hospital supported by the leader of the Liberal Party, some analysis ought to be made of the various and non-variable costs.

**Mr. Singer:** Who ordered it? Miller has gone.

**Mr. Grossman:** Let me say that when this matter was taken up with some of the officials in the ministry there was an indication made and admitted that not all of the patient-days would have to be picked up. When I asked how many of the patient-days will not have to be picked up there was no answer. They didn't quite know.

**Mr. Singer:** There was no hospital left.

**Mr. Grossman:** I pointed out that I am a fairly reasonable man, which I am, and that I would accept an indication of whether it would be closer to five per cent than 50 per cent.

Interjection.

**Mr. Grossman:** You may learn something, just settle down.

**Mr. Singer:** What do you take up if you haven't a hospital left?

**Mr. Grossman:** There was no indication. They couldn't say whether the loss in patient-days would be closer to five per cent than 50 per cent.

**Mr. Singer:** Very difficult if you haven't got a hospital there to do it.

**Mr. Grossman:** Then we must look on to those costs that move with the patient. Some cost obviously have to move with the patient. You are still going to feed him. You are still going to take x-rays. You are still going to treat him with drugs.

**Mr. Singer:** Very difficult if you haven't got a hospital there to do it in.

**Mr. Grossman:** You are still going to clean his sheets. There is still going to be some housekeeping service and there is still going to be some special services with regard to dietetics and general admission and medical records and libraries.

**Mr. Singer:** How do you do that if you haven't got a building?

[10:15]

**Mr. Grossman:** Now, some of them can be separated out and applied onto, for example, general administration. So that when the ministry says, as they are quite entitled to do, "Obviously if you close an entire unit it is cheaper than closing down several beds in several units." But it's not quite so obvious when you take the next step and say: "Well, where are they going to go after you close them?"

Obviously, in accordance with the fact sheet they're going to go to the hospitals in the vicinity. And the hospitals in the vicinity are not only going to have to pick up a lot of the non-variable costs that must move with the patients, such as food, but they're obviously going to be picking up a lot of other costs. And so far, because of their very special nature, they have been able to do so

only at costs which are substantially greater than at the Doctors Hospital.

I've heard it said that obviously it's comparing apples and oranges when you talk about community hospitals such as the Doctors Hospital, and teaching hospitals such as the ones on University Ave. That's true, except if you're saying to those patients, "Would you mind moving from the apples to the oranges and start using the oranges?" Then you've got a valid comparison. Then you're entitled to compare those figures.

And, yes, I quite agree that obviously it's more expensive to treat them at a teaching hospital. The question surely becomes, to use the vernacular: Is the incremental cost such that those additional cases can be handled more cheaply? In simple terms, without taking you through the calculations, let me say that it would require the teaching hospitals, which now treat patients at about \$1,800 per case, to pick up the additional cases at about \$240 per case—from \$1,800 to \$240 as an incremental cost.

If that happens, if they can do that, then surely a calculation—even if it hasn't been made so far—can be made tracing down how it is expected that it's feasible that the incremental cost can be as low as \$240. So there are a lot of questions remaining to be answered.

**Mr. Singer:** Tell us why he closed Doctors Hospital.

**Mr. Grossman:** One of them is the position of your party; but the other one is laboratories. For example, there is no hospital lab in the province—and here are the figures—that has a lower per-unit cost than the Doctors Hospital. Here it is, the lowest in the province. The average cost per 100 units of their special services in laboratories is lowest in the province. What's going to happen to those costs? Can that be averaged down? Certainly not. Are the same number of tests, or whatever, done? How are they going to be done at the new hospitals and for how much?

I was in the House earlier when the member for Grey-Bruce (Mr. Sargent) was talking about the numbers of people who supported his position.

**Mr. Singer:** Do you object to that?

**Mr. Grossman:** No, I only feel obliged to point out to him that while his effort is, I'm sure, stupendous in that regard in terms of his community, the Doctors Hospital has pretty good support in Toronto. There are at the moment 80,000 people—



**Mr. Singer:** And that's why you're going to vote against your minister? Are you going to be brave?

**Mr. Chairman:** Order, please.

**Mr. Grossman:** I understand the leader of the Liberal Party has already decided on this issue.

**Mr. Singer:** Stand up; vote against him.

**Mr. Grossman:** The government is open to appeal on this issue; so this is for them. I know that your decision is made.

**Mr. Singer:** Come on. Tory poop.

**Mr. Grossman:** A total of 80,000 people in Metro have signed a petition—80,000 is the last count; it could be 84,000.

**Mr. Singer:** And the minister is very concerned. He's walked out on you.

**Mr. Grossman:** I wonder what Wilson Height's count is in view of the position of the Liberal Party.

**Mr. Singer:** He has walked out on you.

**Mr. Chairman:** Order, please.

**Mr. Grossman:** A while ago it was 1,421.

**Mr. Singer:** He walked out on you. Are you going to vote against the government on this?

**Mr. Grossman:** Anyway, let me finally say—not shortly, just finally—that I needn't belabour the facts and figures on the hospital. Not only do the ones we have covered speak for themselves with regard to the excellent operation being performed at the Doctors Hospital, but also it's fairly obvious that if a shift must be made of those patient days, there must be some understanding and some anticipation of how many patient days are going to be picked up, where they are to be picked up, how they are going to be picked up and at what cost.

The ministry may be correct in saying they feel in their experience and wisdom that it can be picked up and that somehow in the general squeeze by their power of the purse, by their power not to allot any more money for the treatment of those patients, they can squeeze the savings so that the \$6.5 million saving is effected. I just don't see how it can be done at the present time.

Let me say clearly and go on record as saying that even if that \$6.5-million saving can be effected, it ought not to be effected

in this particular institution. I well understand that there are several hospitals—nine others—being affected in this province, and each of them has its own very special case. Some of them may prevail, some of them may be more special than the Doctors Hospital, and some may be less special. I don't think myself that a more special case can be made out than that for Doctor's Hospital.

**Mr. Singer:** Are you going to vote against it?

**Mr. Grossman:** I need not dwell at length on the importance of this hospital to a very special community. Let me say, however, that that community has developed a particular attachment to the hospital for some very good reasons. It is not enough to say there are 56 languages spoken at Toronto General Hospital, so everyone will be looked after. The languages spoken at the Doctors Hospital are spoken by the family practitioners, by the medical staff.

The languages are spoken by the very medical staff that at the Doctors Hospital work on a team basis. They can treat their patients right through, including the time during which they are operated on by the attending specialist up to the point at which they are discharged from the hospital. That is the way in which those persons who have a language difficulty, those persons who do not speak English, have a connection and an understanding about what has happened.

Anyone who has spent time in a hospital will understand that being perfectly fluent in English is not enough to prevent some feeling of paranoia, some feeling that I am locked in here, lost in a hospital, ill, and I need some help. It is bad enough being in a hospital without a language problem.

**Mr. Singer:** Having said all that are you going to support the government?

**Mr. Grossman:** This is a little too serious for heckling.

Interjections.

**Mr. Chairman:** Order, please.

**Mr. Grossman:** That's why it's different.

**Mr. Singer:** How can you support the minister after having said that?

**Mr. Grossman:** That's why the number of languages spoken is not so important as who speaks the languages, and what privileges those persons who speak those languages have to treat their patients.

**Mr. Singer:** They are impressed with you; they tell me that.

**Mr. Grossman:** Let me tell you something about the doctors on staff. Let me read to you the countries of origin—

**Mr. Singer:** You make the speeches but you vote against them.

**Mr. Grossman:** —and the places in which some of the staff, just some of the medical staff, got their degrees: Romania, Italy, Portugal, Bucharest—Romania again—South Africa, Portugal, Mexico, Philippines, Philippines, Hungary, Glasgow, Hungary, West Indies, Spain, Poland, Spain, West Indies, West Indies, Spain, Spain, Spain, Hungary, Turkey, Germany, Romania, Romania, Romania, Uruguay, South Africa, Yugoslavia, Spain, India—

**Mr. Grande:** Are you going to go on until 10:30?

**Mr. Grossman:** Yes. Yugoslavia, Taiwan, Taiwan again, West Germany, South Africa, Indonesia, Czechoslovakia; and so on.

**Mr. Singer:** You certainly have impressed the Minister of Health with all that. He is convinced.

Interjections.

**Mr. Grossman:** That is some example of the composition of the medical staff at Doctors Hospital.

**Mr. Foulds:** Are you going to cause a by-election?

**Mr. Grossman:** Let me also say that I was rather shocked to read that when the Grace Hospital was reprieved, for whatever reason, a spokesman was quoted as saying: "Few hospitals in this area have the warm relationship between it and the public that this hospital does." I say that few hospitals may have as warm a relationship, but certainly one of those few which does—and has a warmer one—is Doctors Hospital.

**An hon. member:** Will you run as a progressive or as a Conservative.

**Mr. Grossman:** Let me say that I—we will fight the election when it comes, let's talk about the Doctors Hospital.

**Mr. Singer:** I thought you were going to resign. You have given that up, eh?

**Mr. Grossman:** There are a lot of people at that hospital who require—

**Mr. Singer:** They don't speak very highly of you.

**Mr. Grossman:** I wonder what they think of the party whose leader and member for Wilson Heights do not support the hospital's continued existence?

**Mr. Chairman:** Order, please. Perhaps you will return to the estimates.

**Mr. Grossman:** Those persons—

**Mr. Singer:** How are you going to vote on this?

**Mr. Grossman:** If the member for Wilson Heights wants to stand up and give a lengthy defence of the hospital, then he will be entitled to ask the question on how certain people are going to vote when it comes to voting on the hospitals. I tell you—

**Mr. Singer:** The vote is much more important than the rhetoric.

**Mr. Grossman:** If that member is prepared to stand up and be counted—

**Mr. Chairman:** Order, please.

**Mr. Grossman:** —it ill-behoves him to stand up and heckle. Now before 10:30, let me say that there a lot of people—

Interjections.

**Mr. Chairman:** Order.

**Mr. Grossman:** —obviously affected in this area.

**Hon. Mr. Rhodes:** The other half of the Sargent-Singer combination. Throw him out.

**Mr. Grossman:** There are a lot of people in the affected area to whom the lack of a sufficiently detailed explanation is more than just an error, is more than just a misunderstanding; it is critical. Some of those people, who have been through concentration camps and have fled Europe and fled a lot of dictatorships, don't understand when officials of the ministry say—

**Mr. Singer:** We don't understand how you can speak one way and vote the other.

**Mr. Grossman:** —they are going to come in with lead boots.

**Mr. Singer:** Some of us don't understand it either.

**Mr. Grossman:** They are entitled to a little more than to be told that the time has come to apply the lead boots. Somehow they don't



understand that is just an indelicate way of explaining that we have to squeeze some hospital beds in Metro Toronto.

**Mr. Singer:** Are you voting for destruction of Doctors Hospital, having made that speech?

**Mr. Grossman:** Somehow it is just as important—if the member for Wilson Heights won't let me finish, I would be happy to finish tomorrow.

**Mr. Singer:** Explain it.

**Mr. Grossman:** Mr. Chairman, are you going to adjourn or shall I continue?

**Mr. Chairman:** Order, please. Perhaps, as it is close to 10:30, the hon. House leader will move the committee rise and report.

Hon. Mr. Taylor moved that the committee rise and report progress.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Taylor:** Mr. Speaker, in the absence of the House leader, I would like to indicate tomorrow's House business. The Premier (Mr. Davis) will be speaking in the Throne Speech debate following the question period, followed by consideration of supplementary estimates by the committee of supply. I understand the estimates will be those of the Ministry of Community and Social Services.

Hon. Mr. Taylor moved the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 p.m.

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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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Wednesday, March 17, 1976

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

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WEDNESDAY, MARCH 17, 1976

The House met at 2 p.m.

Prayers.

Mr. Speaker: Statements by the ministry.

## GREAT LAKES WATER QUALITY AGREEMENT

Hon. Mr. Kerr: Mr. Speaker, I would like to table copies of a new, five-year agreement that the province has signed with the federal government with respect to water quality in the Great Lakes. This new agreement, known as the Canada-Ontario Agreement for Great Lakes Water Quality, was signed last Friday in Ottawa by the Hon. Jean Marchand, Minister of the Environment, Canada, and by myself on behalf of the province.

The main purpose of this agreement, which is effective from Jan. 1, 1976, to March 31, 1980, is to ensure that Canada will be able to meet its continuing obligations under the Canada-US agreement on Great Lakes water quality. It extends the original agreement, which was undertaken with Ottawa in 1971 and expired last December.

The new agreement goes beyond our original agreement, which basically entailed research, capital construction for sewage works, and phosphorous controls. Now we are placing more emphasis on environmental assessment and protection as well as keeping watch for new pollutants, including toxic chemical substances.

As members are fully aware, the St. Lawrence Seaway has transformed the Great Lakes into an international transportation system serving the industrial heartland of North America as well as our grain elevators at the Lakehead. We therefore intend also to place stronger controls and stricter penalties on vessels using the lakes which discharge oil, sewage and other contaminants.

Ontario has indicated to the government of Canada its acceptance of a set of regulations permitting either sewage retention on large ships or provision of reliable sewage treatment devices. Increasing emphasis must be placed on correcting other vessel pollution problems caused by inadequate handling of bilge waters and cargo-handling wastes.

The new agreement will encourage cost savings through joint programmes. It stipulates that Canada will first consult with Ontario on all proposals for discussion between Canada and the United States. Abatement measures to be undertaken in the agreement include maintenance performance requirements for waste treatment systems, a search for practical means to reduce pollution from combined storm and sanitary sewers, provisions to require prior approval of construction and operation of industrial waste treatment facilities, measures to eliminate industrial discharge of toxic heavy metals and toxic non-degradable organic contaminants as well as thermal and radioactive discharges, and measures to control the discharge of contaminants from vessels using the lakes, including contingency plans.

I am pleased to report that Ontario met its deadline last December, under our former agreement with Ottawa, for cleaning up phosphorous in the lower lakes. Permanent removal facilities are now either in operation or practically completed at all sewage treatment plants in the lower lakes basin. Clear proof of the effectiveness of our phosphorous control programme is apparent from the fact that by the end of 1975 there was a 40 per cent reduction in the amount of suspended algae in Lake Erie's western basin, compared with data taken prior to 1970, when that lake showed signs of rapid eutrophication before the control programme began.

Ontario's industrial waste control programme has advanced to the point where minimal national levels of control are generally in effect and improvements in waste treatment are now being made to meet local water quality needs. The one shortfall for Ontario continues to be the pulp and paper industry, and I've notified the industry that we will negotiate specific compliance dates in each case where programmes are lagging.

Early problems with funding and procedures on the US side have been recently overcome, and I am assured our neighbours are now giving high priority to Great Lakes projects. Work on the great backlog of sewage treatment programmes in major US centres will be mainly completed over the

next two or three years, with one plant at Cleveland delayed until 1981.

In the past five years, up to last December, some \$480 million has been spent on sewage treatment in Ontario municipalities. On the United States side, about \$2.5 billion has now been committed and is being used for construction of sewage works in the basin.

Canada and Ontario will continue to share costs for sewage works under an existing separate agreement with Central Mortgage and Housing Corp., which commits, by the end of 1977, a further estimated expenditure of about \$400 million, most of which pertains to Great Lakes cleanup.

Research begun but not completed under the 1971 agreement will continue to be shared equally between the two governments until March 31, 1978, at a total cost of \$1 million.

Canada has agreed to pay half the cost of provincial surveillance of Great Lakes water from April 1, 1976, to March 31, 1977, the federal portion being a maximum of \$762,500. Following March, 1977, a further sum for surveillance of the boundary waters will be determined by the two governments, based on information gathered at that date and on recommendation of the International Joint Commission.

Only last week, the IJC released its third annual report on Great Lakes water quality. It has recommended to all jurisdictions involved in the agreement that they marshal their environmental planning efforts and implement these across the entire system.

Finally, let me say that the people of Ontario have a great stake in the Great Lakes, since our province's whole southern shore borders along some 1,300 miles of these fresh water resources, providing Ontario with the greatest supply of fresh water in the world.

Today, 90 per cent of Ontario's population resides in the Great Lakes basin. This fresh water is one of our most vital resources, so it's imperative that we clean up the lakes and maintain them in a healthy condition, and we intend to do all in our power to achieve this objective.

Mr. Speaker: Oral questions.

#### WELFARE PAYMENTS TO METRO TORONTO

Mr. Lewis: First, Mr. Speaker, to the Minister of Community and Social Services: In the budget that's been passed by the

department of social services, municipality of Metropolitan Toronto, there is an amount of \$7,333,000 meant to apply to general welfare assistance over and above the 5.5 per cent to which the province has agreed. Can the minister explain how it is, under law, that the government has withdrawn its obligation to pay this additional amount of money, which is now assumed exclusively by the municipality?

Hon. Mr. Taylor: First of all, very simply, we haven't withdrawn any legal obligation at all. As the member knows, the province pays 80 per cent of the total costs of welfare—

Mr. Lewis: A supplementary, Mr. Speaker—my question has been answered; I really don't thank the minister—I take it that the province will pay 80 per cent of whatever obligation arises under general welfare assistance?

Hon. Mr. Taylor: May I say this, what we have done is set out the parameters of overall spending, which we think is reasonable. As a matter of fact, there have been some concerns of ever-escalating caseloads which, in fact, have not been true, because the percentage increase is dramatically down this year over a year ago rather than the other way.

Mr. Lewis: So the province won't pay?

Hon. Mr. Taylor: So we're convinced that they can live within the overall parameters that we've set out for their spending.

Mr. Lewis: By way of supplementary: Therefore, as I hear the minister, he is saying he is convinced that the 80 per cent to which he is normally committed can be met, and they need not budget in excess?

Hon. Mr. Taylor: I'm saying that our prediction is that the additional 5.5 per cent over what we funded last year will be adequate for them to meet their needs.

Mr. Lewis: If it is exceeded, will he pay it, as he is obliged by law?

Hon. Mr. Taylor: That's a hypothetical question. In terms of—

Mr. Lewis: Thank you. He has answered my question. Mr. Speaker, I've another question, if I may—

Mr. Speaker: Order, please.

Mr. Lewis: Mr. Speaker, on a point of order, this question period has lost a lot of time by excess answers. The minister has



answered, sir, and thank you. I would like to ask his colleagues questions if I may.

**Mr. Speaker:** Order, please. Is this a supplementary question?

**Mr. Lewis:** I'm sorry.

**Mr. Speaker:** Does the member for St. George have a supplementary?

**Mrs. Campbell:** Yes, Mr. Speaker, if I may. Could the minister explain what his obligations are under the CAP arrangement with the federal government, and whether or not he will pay the 80 per cent required under CAP, whatever the cost may be, to the municipality for general welfare assistance?

**Hon. Mr. Taylor:** Of course, under the CAP agreement, which is a fairly broad and open agreement, we have to ensure that we qualify for various programmes in order to share in federal funding. Generally speaking, we obtain 50 per cent from the federal government in terms of cost-sharing; then, of course, the provincial contribution is an additional 30 per cent and the municipality picks up the 20 per cent. That is the arrangement that we have worked on under CAP and I don't expect that to change.

**Mrs. Campbell:** The minister will honour it?

**Hon. Mr. Taylor:** I don't expect that situation to change.

### HOSPITAL CLOSINGS

**Mr. Lewis:** May I ask a question of the Chairman of the Cabinet: In view of the election that now seems both likely and imminent, probably before the end of May, would he be willing to raise at cabinet, at the earliest opportunity, in his role as chairman, the desirability of a moratorium on all the hospital and public lab closings, at least an extension in time on them all, until the public of Ontario has had an opportunity to render its judgement on the appropriateness of the government's action?

[2:15]

**Hon. Mr. Brunelle:** Mr. Speaker, this would be a government decision. I will be pleased to bring it to the attention of cabinet.

**Mr. Lewis:** That's good of the minister. Does it perhaps strike the Chairman of Cabinet that it makes sense, since the intended date of the closure will correspond so closely to the likely date of the election that these

three closings should at least be held in abeyance until there has been a public decision as well as a political decision? Does it strike the minister as fair?

**Hon. Mr. Brunelle:** That will be taken into consideration.

### ANTI-INFLATION PROGRAMME

**Mr. Lewis:** A question of the provincial Treasurer, if I may: If memory serves me, the Speech from the Throne made reference to the continued support of the government for the federal wage and price guidelines. Can he, just out of curiosity, indicate to us any single significant price alteration in any sector of Ontario's economy since the Prime Minister of Canada made his speech announcing the guidelines?

**Hon. Mr. McKeough:** Mr. Speaker, the fact that the consumer price index has fallen for three months in a row is of some interest of all of us, I think.

**Mr. Lewis:** I agree. By way of supplementary, can the Treasurer indicate where the Anti-Inflation Board—or can he recall any single instance in the field of prices where the Anti-Inflation Board has taken an initiative, either stabilization or rollback? He may know, where others wouldn't.

**Hon. Mr. McKeough:** Mr. Speaker, no, not offhand, I can't. We are aware of a number of price increases which have been put in front of the board—and not all of them, as I understand, granted.

**Mr. Lewis:** But the Treasurer knows of no single instance that has been denied?

**Hon. Mr. McKeough:** That has been denied? I think I am aware of some which have been modified.

### FIRE INSURANCE RATES

**Mr. Lewis:** May I ask the Minister of Consumer and Commercial Relations whether, if he had evidence, as I believe he has, that rate increases on fire insurance rates from Allstate on some houses—I have here a letter for an individual home in Toronto—have gone up 50 per cent for 1976, would he be prepared to intervene on behalf of the person making the complaint before the Anti-Inflation Board?

**Hon. Mr. Handleman:** I don't know when the rate increase that the hon. Leader of the Opposition refers to was made.

**Mr. Lewis:** After Thanksgiving.

**Hon. Mr. Handleman:** It may have been imposed after, on the basis of the schedule that was imposed before Thanksgiving Day, and whether or not it is subject to the AIB I really don't know.

**Mr. Cassidy:** You are squirming.

**Hon. Mr. Handleman:** I would be prepared to look at that again and see if it is subject to AIB. I can tell the member this, that the insurance companies have been called to AIB, are negotiating their rates with them, and setting justifications before the AIB.

**Mr. Cassidy:** Negotiating?

#### COTTAGE LEASES

**Mr. Lewis:** A further question of the minister: Is he aware of the Toronto, Hamilton and Buffalo Railway case involving increases in rent on land leased to cottage owners of \$150 a lot to \$500 a lot? Is he prepared to go before the AIB on behalf of those cottage owners and protest the increase in the rental rates?

**Hon. Mr. Handleman:** Mr. Speaker, I don't believe I caught the whole question; and I must apologize to the hon. member. I didn't realize he was directing another question to me.

**Mr. Lewis:** I meant to ask the Minister of Consumer and Commercial Relations. I am bringing to his attention yet another very major increase in costs, this time in the area of rent of properties leased to cottage owners by the Toronto, Hamilton and Buffalo Railway that have jumped from \$150 a lot to \$500 a lot. Would he be prepared to intervene before the Anti-Inflation Board, since they do not appear to be willing to respond?

**Hon. Mr. Handleman:** Mr. Speaker, it is not the function of our ministry to intervene before the Anti-Inflation Board. I assume from what the hon. Leader of the Opposition says the property is not subject to rent review and, therefore, there would be no legal basis for our intervention?

**Mr. Cassidy:** What about price?

**Mr. Lewis:** Does the minister feel he has any obligation at all, of any kind politically,

to intervene to protect the consumers in Ontario when the federal wage and price guidelines do not turn back illegitimate prices—or does he wash his hands of it?

**Hon. Mr. Handleman:** No, Mr. Speaker, we don't wash our hands of anything in this government. We use the legislative remedies that are available to us; and if there is a legislative remedy available to me, I'm prepared to look into it. But I do not intervene with the AIB, nor does this government.

**Mr. Cassidy:** And if there isn't a remedy, you wash your hands.

**Hon. Mr. Handleman:** If there isn't any remedy, what do you do?

**Mr. Cassidy:** You find one.

**Hon. Mr. Handleman:** You find one? Where?

**Mr. Cassidy:** You found one with the AIB. You had no problem there.

**Mr. Speaker:** Order, please.

#### ENVIRONMENTAL ASSESSMENT STEERING COMMITTEE

**Mr. Breithaupt:** I have a question of the Minister of the Environment with respect to the environmental assessment steering committee. Can the minister advise us what work has been done by that committee, which was to report progress on a weekly basis, and whether that work has been completed to the point that we can expect an expedition of the Environmental Assessment Act in its proclamation as soon as possible?

**Hon. Mr. Kerr:** Mr. Speaker, that committee has met regularly since last year and it is my understanding now that there is one more meeting to be held. I hope the regulations will be finalized so that they can be presented to cabinet by the end of this month.

**Mr. Breithaupt:** By way of supplementary, can the minister advise us, when the Act does become law, if the Ontario Municipal Board will have to withhold any decisions until the Environmental Assessment Board applications are heard in all cases that might come before that board?

**Hon. Mr. Kerr:** I doubt that very much. I think the Act and regulations in all probability will apply to any new applications by any government body or agency.



## SCHOOL GRANTS

**Mr. Breithaupt:** A question of the Minister of Education: Can the minister advise us when we will know when the grant regulations for school boards will be produced, which were promised, as I recall, in mid-January but apparently have not come forward, so that the boards are having difficulty in planning for their budgets?

**Hon. Mr. Wells:** First, Mr. Speaker, let me say that the information that the school boards need in order to compute their grants is all in their hands and has been in their hands for three weeks. The printed grant regulations, which are sort of the final printing of the actual regulations that put the changes for this year into effect, will be in their hands next week. But I must point out to the hon. member that the school boards now have all the information they need, and have had it for three weeks, in order to fairly accurately compute what they are going to get in grants.

**Mrs. Campbell:** Fairly accurately?

**Mr. Breithaupt:** Supplementary: Is it correct that there will be certain school boards that can and will receive either the same or less funds because of the declining enrolment factor, and the shift in provincial support for education costs being a greater amount than the increase of eight per cent and the eight per cent plus \$80 which is planned for this year?

**Hon. Mr. Wells:** In actual dollars, some of the boards will receive less in grants this year than they received last year. Yes, that is quite right; that will be due to a variety of circumstances. In some cases indeed it will be because they have fewer pupils. In other cases it will be because of changes in their assessment; if they become a richer board, in assessment terms, than they were last year, there could be a change.

## RENT REVIEW PROGRAMME

**Hon. Mrs. Scrivener:** Mr. Speaker, in answer to a question directed to me by the member for Algoma (Mr. Wildman) on Monday of this week, concerning rent charged to employees in government-provided accommodation, I am pleased to advise as follows:

For a number of years the Ontario government has provided accommodation for some employees in certain northern areas of the province and in some relatively isolated situations, such as parks or very small communities, where it has been necessary to ensure

effective programme delivery. The administration of government-provided employee accommodation has been and is currently administered by the Civil Service Commission.

In June, 1973, the Ministry of Government Services was asked to complete appraisals for these properties to provide a basis for fair market rental. The Ministry of Government Services completed the appraisals and the ministries involved were requested to commence payroll deductions on Oct. 1, 1975, based on the revised rental rates.

In most cases the revised rental rates necessitated an increase in rent. However, in no case was the rent increased by more than \$25 per month on Oct. 1, 1975. Further increases, if necessary, were to be made at six-month intervals, with such increases not to exceed \$25 per month, until fair market rental was reached. The full adjustment was planned for completion by Oct. 1, 1977.

When the Residential Premises Rent Review Act came into force, the plan to provide for fair market rental of these houses was inconsistent with the provisions under the rent control legislation. Although the government is not bound by the rent control legislation, we intend to be consistent with the provisions of the Act. Therefore, there will be a roll-back where indicated. From now on, all rental increases for employees in government-provided accommodation will be made in accordance with regulations under the Rent Review Act and any rental increases which have been implemented and which exceed the provisions of the legislation will be refunded to employees.

**Mr. Lewis:** First the member for Algoma saves Bruce Mines and now all of the workers who rent. Not bad for one day.

**Mr. Cassidy:** You are covered by rent review as well.

**Mr. Speaker:** Order, please.

## SEASONAL FARM WORKERS

**Mr. MacDonald:** A question of the Minister of Agriculture and Food: What has happened to the election promise made by the Premier (Mr. Davis) in a speech in Ridgeway on Sept. 9 to the effect that there would be a full rebate of provincial income tax to anyone engaged in seasonal work on the farms and that the province would approach the federal government to extend the \$1,000 exemption to any Canadian engaged in seasonal work on the farm?

**Hon. W. Newman:** That matter is under very active consideration in my ministry now. There are very active discussions on this particular point. We have had some discussions and we hope we will have an answer for the member very soon.

**Mr. Moffatt:** It is in the Throne debate.

**Mr. Martel:** Next year!

**Mr. Makarchuk:** It's so good you are keeping it around for the next one.

**Mr. Foulds:** They are not going to have another chance.

**Mr. MacDonald:** In view of the commitment of the Premier that whether or not the government of Canada responds to the \$1,000 exemption at the federal level, the government of Ontario is prepared to rebate its share of provincial tax to those who were seasonally employed, can the minister at least give us the assurance that he will move on that aspect of the election promise that relates to the provincial government?

**Hon. W. Newman:** There have been a lot of changes since the budget came in but let me say the whole matter is under active consideration.

**Mr. Lewis:** Since the budget came in? What budget?

**Mr. Moffatt:** What budget?

**Mr. Speaker:** A final supplementary, the Leader of the Opposition.

**Mr. Lewis:** What is the minister talking about?

**Hon. W. Newman:** I am sorry, I am talking about estimates. My apologies.

**Mr. Lewis:** Since the estimates came out?

**Hon. W. Newman:** We are pulling this whole thing together now and hopefully we will have an answer.

**Mr. Lewis:** I have his promise at this time.

**Mr. MacDonald:** Why wasn't it in the supplementary estimates we had to consider yesterday?

**Hon. W. Newman:** Why wasn't it in the supplementary estimates?

**Mr. MacDonald:** Right!

**Hon. W. Newman:** We will look at them when the time comes.

**Mr. Lewis:** Oh, will you?

**Mr. Martel:** What a bunch of windbags over there! They promise everything.

**Mr. Speaker:** Order, please.

## GOVERNMENT SERVICES EXPENDITURES

**Mr. Riddell:** A question of the Minister of Government Services: In keeping with the budgetary restraint programme of this government, which we on this side agree is necessary, if applied in areas which do not present further hardships to the sick—

Interjections.

**Mr. Lewis:** Restraints if necessary but not necessarily restraints.

**Mr. Riddell:** —the handicapped and the poor, would the minister not agree that the government expenditure of \$30,000 plus to decorate the plush four-storey MTC office building on Highway 135 with green plants was completely unnecessary at this cost-cutting period of time and would she not agree that the expenditure of \$67,500 to construct and furnish a more modern office and suite for the Honourable the Lieutenant Governor is surely a lower priority item than a public health lab, the closing of which is supposedly saving the government \$12,000? Which is more important, green plants and modern suites or patients?

**Hon. Mrs. Scrivener:** The member is equating apples with oranges.

**An hon. member:** And some of the apples have gone rotten!

**Mr. Peterson:** That's people.

**Mr. Reid:** There is a high degree of responsibility right there.

**Mr. Speaker:** Order, please.

**Mr. Singer:** Quite an answer, that one!

**Mr. Speaker:** Order, please. The member for Oshawa with his question.

**Mr. Lewis:** It is quite an effective reply.

## POLICE CHASES

**Mr. Breaugh:** I would like to ask the Solicitor General if he is prepared to set



a uniform policy for police chase procedures in Ontario.

[2:30]

**Hon. Mr. MacBeth:** Not to the point where we take away from the individual officer on the scene or at the site the final discretion of whether or not the police chase should take place. That must remain, in my opinion and in the opinion of those who are senior in the importance of law, with that individual officer.

As far as policy is concerned, the OPP have an extensive policy in regard to when and when not in their opinion—that is, in the general guidelines as to when a chase should or not take place. It is similar to what the Metropolitan Toronto force has and, I believe, what most major forces have. I am asking the police commission to review all these policies and all guidelines and put them all together and make sure that every force in the province has those guidelines to follow. But, as I say, it must remain up to the individual officer to make the decision in any one case.

**Mr. Breaugh:** Supplementary question, Mr. Speaker.

**Mr. Speaker:** We will allow the supplementary.

**Mr. Breaugh:** Does the minister think it quite fair to put on to one individual police officer something that becomes, after the fact, a matter of great public scrutiny? I would quote for him the case of the incident in Acton recently where—

**Mr. Speaker:** The question has been placed. Thank you.

**Mr. Breaugh:** Is that really fair?

**Mr. Speaker:** Order, please.

**Hon. Mr. MacBeth:** Yes, sir, that's one of the responsibilities that goes with being a policeman.

#### PICKERING LAND FREEZE

**Mr. Stong:** Mr. Speaker, I have a question for the provincial Treasurer: In the light of the announcement about six months ago by this government that services would not be provided for the Pickering airport site, thereby effectively stopping construction at that site, when does the Treasurer intend to lift the freeze around the lands in that area so that the people affected, such as those in the town of Markham, may enjoy

relief from the continuing and oppressive losses to their home values?

**Hon. Mr. McKeough:** Mr. Speaker, that is a matter that is under consideration by the government.

#### PORT ARTHUR CLINIC DISPUTE

**Mr. Foulds:** Mr. Speaker, a question of the Minister of Labour, if I might: Does the minister have a report on the dispute at the Port Arthur Clinic? Has the ministry closed the file on that particular dispute, or is there a possibility that negotiations may still continue?

**Hon. B. Stephenson:** Mr. Speaker, we have not closed the file. We have been in communication by letter during the last 10 days, as a matter of fact, with both parties to this dispute. We have had a response from one party. We have not had a response as yet from the other side; we are awaiting that.

**Mr. Foulds:** Supplementary, if I might, Mr. Speaker.

**Mr. Speaker:** Supplementary.

**Mr. Foulds:** Does the decision by the Ontario Labour Relations Board concerning a recent case—and I think it's in Barrie with DeVilbiss (Canada) Ltd. and the electrical workers—have any bearing on the clinic case, as I believe there is a first contract element in both?

**Hon. B. Stephenson:** I would suppose that any case heard by the Ontario Labour Relations Board regarding a first contract would have some bearing on this situation. I am not sure that one has any direct bearing at this time.

#### ANTI-INFLATION PROGRAMME

**Mr. Bullbrook:** Through you to the Treasurer, Mr. Speaker, with reference to the application being made to the Supreme Court of Canada as to the validity of the agreement that the Treasurer signed with the federal government, presuming that the Supreme Court of Canada might find it to be invalid and presuming that there wouldn't be a Legislature extant in Ontario at the time, what does he intend to do?

**Hon. Mr. McKeough:** Well, Mr. Speaker, I think that's a very hypothetical question.

**Mr. Bullbrook:** By way of supplementary, and most respectfully: In view of the mess the leader of the New Democratic Party is getting us into, surely it can't be regarded as hypothetical at all.

**Mr. Lewis:** Have they been worrying over night—this crowd over here?

**Mr. Speaker:** The member for Beaches-Woodbine. Thank you.

**Mr. Lewis:** We are not backing off.

**Mr. Speaker:** The hon. Leader of the Opposition will please take his seat.

**Mr. Foulds:** Where is the Liberal leader today?

### SPECIAL PROGRAMME REVIEW

**Ms. Bryden:** Mr. Speaker, I also have a question for the provincial Treasurer. I would like to ask him how he could sign the report of the special programme review, in which it is stated that the tax credit for mortgage interest is in effect in November, 1975, when in actual fact it was only an election promise which had not been implemented at that date, and which has now been rejected, according to the information we received yesterday?

**Hon. Mr. McKeough:** Mr. Speaker, I would want to check the wording, without doubting the veracity of my friend's question or the implications in the question, but she might also want to check and she will find that my signature is not on the report.

**Ms. Bryden:** Supplementary, Mr. Speaker: I have the exact wording here if the minister would like me to read it to him.

**Mr. Speaker:** I think not.

### PEMBROKE CREAMERY

**Mr. Conway:** Through you, Mr. Speaker, a question for the Minister of Agriculture and Food: Is the minister aware of the serious difficulties in which the Pembroke Creamery presently finds itself?

**Hon. W. Newman:** No.

Interjections.

**Mr. Conway:** By way of supplementary, Mr. Speaker, would the minister please—in the light of the fact that the difficulties at that particular creamery are the direct result of an inexcusably bad loan arrangement made

with the Eganville Creamery—look into what is a serious problem at the Pembroke Creamery, because most of the Renfrew county cream producers are in serious jeopardy today?

**Hon. W. Newman:** I don't know what the member means by being in difficulty, because if I remember last fall that was taken over, was it not, by Ault? Is that the one he is talking about?

**Mr. Conway:** The question would be that because of the fact that the Ault—

**Mr. Speaker:** Order, please. I believe the hon. minister just wished clarification as to whether he was dealing with the right matter.

**Mr. Conway:** Perhaps the question would be better put if it was put this way: When Ault Foods, with the help of a \$1 million ODC loan, took over the Eganville Creamery it took over all the area of sale in that particular Renfrew county zone. The Pembroke Creamery was approached by the government of Ontario—

**Mr. Speaker:** And the question?

**Mr. Conway:** —and told to take over the cream production—

**Mr. Speaker:** And the question, thank you?

**Mr. Conway:** —and now they can't sell their product. What is the minister going to do about it?

**Hon. W. Newman:** If the member is talking about the market share quota situation, which I believe he is, about a surplus of market share quota—that's a surplus of powdered milk, plus a surplus of butter—if that's what he's talking about, I am meeting with Mr. Whelan and with the other provincial ministers this coming week, as a result of a wire I received from him this morning, to try and sort out that whole situation across this province and across Canada.

### WATER QUALITY OF MILL STREAMS

**Mr. Angus:** Mr. Speaker, I have a question of the Minister of the Environment. Now that the minister obviously has the results of the intensive analysis of the pulp and paper mill streams of the province—I say obviously because of the cleanup orders that he is negotiating—could the minister share those facts and figures with this Legislature, as he has promised to do twice in the past?



**Hon. Mr. Kerr:** I believe, Mr. Speaker, I have given the hon. member the figures on the improvements in water quality downstream from those particular mills as a result of a shutdown. If he doesn't have that, that's an oversight. I should have followed up, I'm sorry. I'd be happy to let the member have those figures. I gave this information in a speech in his home town just a month ago.

### AUTO LICENSING AGENCIES

**Mr. Reid:** Mr. Speaker, I have a question for the Minister of Transportation and Communications. Is the minister prepared to tell the House how he is going to clean up the motor vehicle licensing branch in his ministry? Can he tell the House how much of public funds has not been turned in to the Treasury from these motor vehicle licensers across the province?

**Hon. Mr. Snow:** Mr. Speaker, the hon. member has had a question on the order paper for the last few days, I believe it's under his name, inquiring as to the amount of shortages of funds over the past five years. I expect I'll have that report to table within the next day or two. In the meantime, I assure you, Mr. Speaker, the amounts involved are minimal.

The other part of the hon. member's question or statement as to what I am going to do to clean up the branch, I believe is the way he put it; first, I don't think I'm going to take any action to do any cleaning up of the branch.

**Mr. Reid:** What about the checking of receipts when they come in? Did the minister read the auditor's report?

**Hon. Mr. Snow:** Certain comments were made to my ministry, through my deputy minister, by the Provincial Auditor some months ago concerning things that came to the auditor's attention. Since that time considerable action has been taken by the ministry and considerable improvement has been made in the computer programme, which I'm the first to admit has given us some problems. I think as of this date the accounting part or the reporting part is very well under control.

**Mr. Reid:** A supplementary, if I may. Is the minister satisfied with the way the ministry operates in appointing motor vehicle licence issuers across the province? Is he satisfied with the way that is done, the way it is handled, without any bonding? Apparently there are people who have charges

against them and yet they are handling public funds.

Secondly, and more specifically, is the minister prepared to continue the practice of having Ontario Hydro have its trucks registered with a private vehicle licenser in the Province of Ontario, which apparently brings that person some \$35,000 in vehicle licences when it could be done downtown?

**Mr. Speaker:** I believe the second part of that question is not supplementary to the main question. The answer to the first part, the hon. minister.

**Hon. Mr. Snow:** First of all, I would say I am satisfied that the present system of having private motor vehicle licence issuing offices is the most appropriate and the most economic system for—

**Mr. Reid:** It needs a little tightening up.

**Hon. Mr. Snow:** —issuing these licence plates that is possible.

**Mr. Lewis:** You could do it through Drake Personnel.

**Ms. Gigantes:** That's a good idea.

**Hon. Mr. Snow:** Obviously, a programme such as this we are reviewing continuously. There will no doubt, from time to time, be some changes made. On the comments regarding the bonding of the particular issuing agents, the hon. member may not be aware that the government is a self-insurer. We do not provide bonds in this case as we do not provide insurance on most capital—

**Mr. Reid:** There is a slight difference, though, don't you think? You are dealing with public funds.

**Hon. Mr. Snow:** I would suggest that when I am able to table the—

**Mr. Lewis:** Why don't you watch the issuers?

**Mr. Speaker:** Order, please.

**Hon. Mr. Snow:** When I am able to table the report—

**Mr. Lewis:** Why don't you enforce the law?

**Mr. Speaker:** Order, please.

**Hon. Mr. Snow:** Mr. Speaker, do they want me to answer this question or not?

**Mr. Singer:** We are very concerned that you answer it.

**Hon. Mr. Snow:** Mr. Speaker, I am sure when I do table the figures the hon. member asked for he will be pleasantly surprised and it will be obvious that over the past years the operation of this system has been such as to indicate no need for all the agents to be bonded.

**Hon. Mr. McKeough:** It will make your spring vacation.

**Hon. Mr. Snow:** With regard to Ontario Hydro buying its licences through a private agency, I would suggest that perhaps the hon. member should take this matter up with the Minister of Energy (Mr. Timbrell) as I have no authorization or no way of telling a particular motor vehicle owner where he or she or that company should buy the licence. I have some concern regarding the member's statement that there was \$35,000 in commissions involved.

**Mr. Reid:** The total cost.

**Hon. Mr. Snow:** I believe he meant annually; \$35,000 would be something like 50,000 vehicles.

**Mr. Speaker:** I think the balance of the answer should come in the written answer.

#### SCARBOROUGH EXPRESS BUS EXPERIMENT

**Mr. Warner:** A question for the Minister of Transportation and Communications: Is it a lack of government concern for public transit or is there some other reason for not providing the supplement needed to continue the Scarborough express bus experiment?

**Hon. Mr. Snow:** Mr. Speaker, there is no lack of government concern for transit. A great many million dollars of funds are being made available to the municipality of Metropolitan Toronto which, in turn, makes that money available to the operating authority, the Toronto Transit Commission, which, in turn, sets its priorities for the operation of the transit system. The decisions as to the operation of that system are basically with the local authority.

[2:45]

**Mr. Warner:** Supplementary: Is the minister not aware that representation has been made to the government that if a supplementary grant is not received from the province by May 1, it will result in that experiment being curtailed?

**Hon. Mr. Snow:** First of all, that is not an experiment of my ministry. If it's an experiment at all, it must be an experiment of the TTC. I am not aware of an application for a special grant. I have received no communication regarding that. And, although I'll naturally review any request that I receive, I would have to say that the possibility of any special grant for the municipality of Metropolitan Toronto for a specific bus service is almost nil.

#### ELECTED OFFICIALS ON HOUSING AUTHORITIES

**Mr. Eakins:** Mr. Speaker, a question for the Minister of Housing. Are there any elected officials serving on housing authorities, has the minister received any requests for such, and is he planning to change legislation to accommodate elected officials?

**Hon. Mr. Rhodes:** To the best of my knowledge, Mr. Speaker, I don't believe there are elected officials serving on housing authorities. I trust the hon. member is familiar with how appointments to the housing authorities are made. I don't intend to change the legislation. From the sound, Mr. Speaker, I note there may be others in the House who don't know how they're made either.

**Mr. Bullbrook:** I'm one of them. Lorne does mine all the time.

**Mr. Cassidy:** Supplementary: Apart from the three tenants now on housing authority boards, does the ministry have any further plans to include more tenants on these public housing authority boards?

**Hon. Mr. Rhodes:** No, I don't have any plans to specifically include tenants on the board. Perhaps I'll take the time to remind the hon. member, as I think he is aware, that appointments to the housing authority are made on an alternating basis, as the positions become vacant, from the federal government, from the municipal government and from the provincial government; and although these appointments are all confirmed by an order in council, they are never rejected when they come in from the federal or municipal governments. The hon. member should talk to the rest of his colleagues in the various levels of government.

**Mr. Cassidy:** How about you?

**Hon. Mr. Rhodes:** You've already spoken to me and I've taken care of your problems.



**Mr. Speaker:** Order, please.

### ACCESS TO OSHAWA MARSH

**Mr. Moffatt:** Mr. Speaker, a question to the Minister of the Environment. I would like to know if the members of this minister's staff are still being denied access to the marshland known as the Oshawa Second Marsh, which is presently under control of the Oshawa Harbour Commission.

**Hon. Mr. Kerr:** Mr. Speaker, I'm not aware that they are prohibited from inspecting that site. I'll get the information and give it to the hon. member.

### INVESTMENT PORTFOLIO OF COMMUNITY COLLEGES

**Mr. Sweeney:** A question of the Minister of Colleges and Universities, Mr. Speaker. Is the minister aware of the fact that Seneca College, through his ministry's funding mechanism, has been able to build up an investment portfolio of \$2 million? If so, does he approve of this procedure?

**Hon. Mr. Parrott:** I am aware of the dollars that each institution has. We think that there should be every reason for those funds to be used appropriately for the purposes for which they were designated; and I'm sure, given the present financial restraint that all of the areas have to cope with, that's precisely what will happen to those funds.

**Mr. Sweeney:** Supplementary, Mr. Speaker.

**Mr. Speaker:** Supplementary, the member for Scarborough-Ellesmere.

**Mr. Warner:** Supplementary: Will the minister be instructing the colleges to use their reserves and that, in future, only a percentage of the budget will be allowed for reserves and nothing beyond that percentage?

**Hon. Mr. Parrott:** I'm sure that the hon. member is aware that reserves are not a usual problem; if I read the press correctly, it is usually to the contrary. Usually the colleges are complaining about the deficits that they have faced—particularly when we announce the amount of money. We hear a great deal about the deficits that they expect to have; the deficits don't usually materialize to that degree. I'm not contemplating legislative controls in that instance.

**Mr. Warner:** Supplementary.

**Mr. Speaker:** Order, please. Did the hon. member for Kitchener-Wilmot have a supplementary?

**Mr. Sweeney:** Yes, Mr. Speaker.

**Mr. Speaker:** I'm sorry, I didn't notice you earlier.

**Mr. Sweeney:** Supplementary: Given the very point that the minister has just made, that so many of the colleges are in difficulty, how is it possible for them to build up those kinds of surplus reserves?

**Hon. Mr. Parrott:** I would like to correct the interpretation that the hon. member has placed on my answer. I did not suggest that they were in difficulty. I suggested that the press would report, when the colleges were given their original allocations, that they suggested they would be in difficulty.

I also noted that usually that deficit didn't materialize but, indeed, a balanced budget was struck. In some instances, with good efficiency and good management on the part of the administration, there was a surplus—not usually very large—but, indeed, there should be. I want to encourage a surplus position if it is created by good management within the administration. I would not want to criticize a community college for building a surplus if it could be done through good management. I think there is an occasion here and there where that does occur. But, certainly, there is very little evidence in the original press release that they expect that surplus to become a fact of life.

### GO TRANSIT TERMINALS

**Hon. Mr. Snow:** Mr. Speaker, I believe it was on Monday that the hon. member for Oriole (Mr. Williams) asked me a question regarding transit terminals. Due to the fact that the answer is somewhat lengthy, perhaps I could table it with the Clerk. (See appendix, page 575.)

### HOSPITAL CUTBACKS

**Mr. Swart:** Mr. Speaker, in the absence of the Minister of Health and the Premier, perhaps I can direct this question to the Chairman of Cabinet. Is he aware that the House leader made an announcement yesterday morning that the matter of the bed closings and the cutbacks of the hospitals in the St. Catharines area is now being referred to the hospital council in that area for its review and a report with recommendations to the

Minister of Health (Mr. F. S. Miller)? Is this a change in policy whereby the government is now going to consult with the health councils and other concerned people in all of the areas where there are cutbacks in closings?

**Hon. Mr. Brunelle:** No, I was not aware of that statement.

#### CERTIFICATION OF SKILLED WORKERS

**Mr. Mancini:** I have a question of the Minister of Colleges and Universities. In view of the fact that the meat cutters of Ontario serve an apprenticeship of nearly 4,000 hours, why is it they are not issued certificates which would classify them as skilled workers?

**Hon. Mr. Parrott:** I can't give the member a detailed answer on that question. I'll be prepared to get it for him. I think that if the information he supplies in his question is correct, it probably illustrates a prime reason for the Industrial Training Council we recently established—and one of their duties would be to look into the apprenticeship programme. We have already identified that as one of their prime responsibilities.

Given that the information is correct in the question, we'll certainly refer that item to them. In the meantime, if I can give the member some more information, I will do so in due course.

#### CONTAMINATION OF FISH

**Mr. Foulds:** I have a question of the Minister of the Environment. Is the minister aware of the report that was released some two weeks ago by the Great Lakes Environmental Contaminant Survey Board of the high levels of contaminants in fish, particularly trout, in the western part of Lake Superior—those contaminants being PCBs, mercury and DDT? Is the ministry taking action to warn people not to eat those fish more than once a week, as that report recommended?

**Hon. Mr. Kerr:** Yes, Mr. Speaker, I'm aware of the report; the report pretty well confirms our statistics. As a matter of fact, the report has some information from my ministry and the Ministry of Natural Resources. It confirms the figure that we've had for about six months, specifically in relation to the trout in Lake Superior.

**Mr. Foulds:** A supplementary, Mr. Speaker, if I might. Has the minister had discussions

with the Ministry of Natural Resources as to the effect that this will have, up to this point, on recovering the lake trout fishing industry in Lake Superior?

**Hon. Mr. Kerr:** Yes, Mr. Speaker; and also when we had the original information regarding PCB's in trout, and also information on Lake Erie and Ontario, that information was publicized quite widely and people were warned as far as the contents in those species were concerned, and to be careful as far as eating them was concerned.

**Mr. Speaker:** The member for St. George has a final question.

#### REPORT ON DAY CARE

**Mrs. Campbell:** A question of the Minister of Community and Social Services: In view of the fact that the Citizens Advisory Committee report on day care was presented to the minister on Friday, Jan. 30, could the minister advise when that report, paid for at public expense, is to be brought to this House and submitted for consideration by the people of this province?

**Hon. Mr. Taylor:** Might I remind the member that the committee was specifically set up to advise the Minister of Community and Social Services in connection with the field of day care. That report has now been submitted to me as the member has indicated. I am reviewing that report and in due course I will determine the distribution of it.

**Mr. Speaker:** The question period has expired.

Petitions.

Presenting reports.

Mr. Edighoffer from the standing miscellaneous estimates committee reported the following resolution:

**RESOLVED:** That supply in the following supplementary amounts and to defray the expenses of the following ministries be granted to Her Majesty for the fiscal year ending March 31, 1976:

#### Ministry of Revenue

Guaranteed income and tax credit programme .....	\$9,100,000.
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#### Ministry of Agriculture and Food

Agricultural production programme .....	\$9,000,000.
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**Mr. Speaker:** Motions.  
Introduction of bills.

#### HIGHWAY TRAFFIC AMENDMENT ACT

**Hon. Mr. Snow** moved first reading of bill intituled, An Act to amend the Highway Traffic Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Snow:** This bill contains a number of amendments directed toward highway safety. Some of the changes include amendments which will allow for better noticeability of motorcycles on the highway; the regulation and control of over-size farm vehicles on the highway; the use of paved shoulders for passing movements in limited circumstances when slow-moving or stopped vehicles impede other traffic; and the rule of the road respecting school crossing guards.

Other amendments respecting the suspension of drivers' licences are in response to amendments to the Criminal Code and provide for court-ordered extensions of suspensions and suspensions following absolute or conditional discharges.

Finally, a shipper who knowingly causes a vehicle to be overloaded, intending it to be operated on a highway, will be subject to the same penalty as the operator of the vehicle.

#### SUCCESSION DUTY AMENDMENT ACT

**Hon. Mr. Meen** moved first reading of bill intituled, An Act to amend the Succession Duty Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Meen:** Mr. Speaker, amendments to this bill are intended to minimize the effectiveness of certain methods of tax avoidance; to remove anomalies in the payment of forgivable duty on farming assets; to increase significantly the amount that can be paid out to the family of a deceased person, without ministry consent, by insurance companies, banks and pension funds; and to promote loans of artistic and cultural property to Ontario institutions by non-residents of Ontario.

[3:00]

#### ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM AMENDMENT ACT

**Hon. Mr. McKeough** moved first reading of bill intituled, An Act to amend the Ontario Municipal Employees Retirement System Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** The amendments in this bill extend the benefits to permanent staff members of a municipal employees association or union who hitherto were prevented from participating in the system.

The second provision expands the type of service which municipalities may include when crediting employees for service for supplementary benefits. This would include service with other municipalities or other government employers and military service.

The third provision permits the Lieutenant Governor in Council to grant retroactive application of regulation changes when a benefit provision is changed.

#### EDUCATION AMENDMENT ACT

**Mr. Grande** moved first reading of bill intituled, An Act to amend the Education Act, 1974.

Motion agreed to; first reading of the bill.

**Mr. Grande:** The purpose of this amendment is to make it clear that it is permitted for a teacher to teach a language other than English at both the elementary and secondary school level and to communicate to pupils in a language other than English or French at both the elementary and secondary school levels.

**Mr. Mancini:** You are dreaming.

**Mr. Speaker:** Before the orders of the day I'll recognize the member for St. Andrew-St. Patrick.

#### ST. PATRICK'S DAY

**Mr. Grossman:** Mr. Speaker, in the tradition of this House, although I'm not wearing green today, I thought I would rise, particularly in the absence of the member for Wentworth (Mr. Deans) I suppose, to acknowledge this day. I would ordinarily be wearing green in honour of St. Patrick's Day but the colour of the faces in the Liberal Party today will suffice.

**Mr. Riddell:** Look in the mirror.

**Mr. Peterson:** Since when did you represent the Irish?

**Mr. Grossman:** I can't even comment on St. Patrick Day without being controversial.

**Mr. Singer:** Compare apples and oranges, will you?

**Mr. Peterson:** You would be more appropriate on Groundhog Day.

**Mr. Grossman:** Suffice it to say that in honour of one of the patron saints of my riding, when there was some suggestion a few weeks ago that some members may want to recommend name changes for their ridings, in spite of the fact that I would have considered changing the name of my riding to, say, Muskoka, Brampton or Riverdale, I decided to stick with St. Andrew-St. Patrick. I might also note that of the, I believe, seven hospitals which are in that portion of either St. George or the now St. Andrew-St. Patrick riding, that were formerly in the riding known as St. Patrick, none were closed. Therefore, the luck of the Irish must still prevail.

**Mr. Bullbrook:** I have come here to listen to the Premier (Mr. Davis) today, not this fellow.

**Mr. Peterson:** How appropriate your remarks!

**Hon. Mr. Welch:** Before calling the orders of the day, the order paper today doesn't indicate the meeting of the miscellaneous estimates committee. Immediately following the Premier's contribution to the Throne Speech debate, the miscellaneous estimates committee will meet to consider the supplementary estimate requirements of the Ministry of the Environment and the office of the Assembly.

**Clerk of the House:** The first order, resuming the adjourned debate on the amendment to the amendment to the motion for an address in reply to the speech of the Honourable the Lieutenant Governor at the opening of the session.

#### THRONE SPEECH DEBATE (continued)

**Mr. Cassidy:** This may be the Premier's last time, you know.

**Hon. Mr. Davis:** I will say to the hon. member, Mr. Speaker, that I wouldn't count on that. I wouldn't even make book on it.

**Mr. Kennedy:** Beware the ides of March.

**Hon. Mr. Davis:** However, it is not my intention to be at all provocative or controversial today.

**Mr. Mancini:** That is what he said the last time.

**Hon. Mr. Davis:** Not much it isn't. However, at the outset, Mr. Speaker, I would like to begin by congratulating the mover and seconder of Her Honour's most excellent address.

I was deeply touched by the words and commitments expressed by my good friend, the member for Stormont-Dundas-Glengarry (Mr. Villeneuve), who has served in this House and his constituency so well for so many years. I know I speak for all members in this House when I say how pleased we all are that he has made such an excellent recovery and that he is able to continue in the service of this province and in the service of the people who have sent him to Queen's Park with such great consistency and commitment for many years, and I would hope for many years yet to come.

I also express my congratulations to the seconder of Her Honour's address, the member for St. Andrew-St. Patrick (Mr. Grossman) who carried on a tradition here this afternoon as he serves in a very non-controversial way, an example that has been set for him by his very distinguished predecessor in that particular constituency.

I think it is very important in this day and age, and above all important for our democratic institutions, that a member has an opportunity to cite his concerns with respect to a local matter without limiting his support for the government.

I think, in the view of any thoughtful observer, it reflects well in the strength and vitality of a government when one of its members can be allowed to present differing views within the context of the Throne Speech debate.

Clearly there will be differing views expressed today from those expressed on Monday by the Leader of the Opposition (Mr. Lewis), and those which appear to have been expressed by the leader of the Liberal Party.

**Hon. Mr. Handleman:** It was pretty hard to understand what he was saying.

**Hon. J. R. Smith:** Where is he?

**Hon. Mr. Davis:** I want to say this at the outset and I hope the hon. House leader will understand when I ask him to convey to



his leader the very constructive suggestions I have to offer to his new leader here in the non-provocative sense that I suggested at the outset—I did receive a note from the new leader of the Liberal Party—

**Mr. Ereithaupt:** I will even take notes.

**Hon. Mr. Davis:** —in spite of the fact that we had arranged these debates for about 10 days that he did have a commitment elsewhere. I regret, and I don't say this critically, that in the light of his observations yesterday and the serious way in which all members of this House take them, that one would think—

**Mr. Lewis:** He would think!

**Hon. Mr. Davis:** —that he might have been here this afternoon.

There are amendments to Her Honour's address before the House, which, let's not fool anyone, constitute direct expressions of non-confidence in the government which it is my privilege to lead.

I don't really see any reason to express either shock at the decision of both parties to make amendments or sub-amendments to the address. It is rather a time, and I say this sincerely, to express disappointment.

I want at the outset, however, to lay before this House and the province some of the fundamental choices and issues which we face as a province and which are suggested by the Throne Speech itself.

I start with the premise, which was unfortunately underlined once again by the posture in this House taken by the Leader of the Opposition and his Liberal colleague, that there are some in this House who are prepared to make those choices and some who insist on running away from them.

There are some in this House who are prepared to put those choices honestly and deliberately before the people and there are some who refuse to face up to the fundamental economic reality of our time and the fundamental public responsibility we all share in this House to serve the economic well-being of future generations of Ontarians.

It is interesting to sit back, as we did, and assess the thrust of the speech made so eloquently and intermittently passionately by the Leader of the Opposition. You know, there is clearly a new angle emerging to the traditional NDP approach of claiming a monopoly on public interest, a monopoly on concern for people and a monopoly on social and economic equality.

My good friend, the Leader of the Opposition, and those whom it is his pleasure to lead, now stand before this House and want to debate the issue of economic management and fiscal responsibility. I will return to that discussion very shortly. But, of course, the Leader of the Opposition took every opportunity, during the initial part of his remarks, to make passing reference to the new leader of the Liberal Party in Ontario. And while it would be inappropriate for me to suggest that his remarks were not totally complimentary, I would point out with respect to the leader of the Liberal Party, who, as I said, I had hoped would be here, that he can probably do without that sort of praise from his colleague on his right, the Leader of the Opposition. I have had some experience with praise from the Leader of the Opposition—

**Mr. Lewis:** You ain't seen nothing yet.

**Hon. Mr. Davis:** Oh! I am delighted. I am delighted.

**Hon. Mr. Handleman:** It is going to be a love-in.

**Hon. Mr. Davis:** I have had some experience and I have come, not to take it with a grain of salt, because that would be unfair, but to consider it carefully in my mind and to seek the advice of others before truly accepting it as praise. I have to analyse these things very carefully these days. There is no question that he is well known for his tremendous intellectual and debating capacities, backed up by a researcher or two or three or four or five—how many does he have now on staff?

**Mr. Lewis:** Nine.

**Hon. Mr. Davis:** Nine?

**Hon. Mr. Handleman:** How many have you got on our staff?

**Mr. Cassidy:** We've got 50 on your side.

**Hon. Mr. Davis:** I offer this not as a comment but merely as advice to the leader of the Liberal Party: The Leader of the Opposition lacks no instant answer to any long-term problem. That is indeed refreshing at a time when more and more people wonder whether government is considering all the right options; at a time when we wonder whether those who have in the past claimed to have all the answers have indeed succeeded in doing anything more than creating more problems in the process.

It is reassuring for both the leader of the Liberal Party and myself to know that, notwithstanding the problems the province may wish to have carefully considered—and notwithstanding the complexity of the issues facing the people of Ontario today, whenever there is doubt or the need for review or for second thoughts, there will continue to be in this Legislature a single repository of instant answers and instant responses to all of our problems.

**Mr. MacDonald:** That's a cheap shot.

**Hon. Mr. Davis:** It's a statement of fact.

Interjections.

**Hon. Mr. Davis:** I am sure that our democratic system and politics generally in Ontario are made better, as I am sure the Liberal Party would agree, by the presence of an individual who has no doubts, no fears—

**Mr. Lewis:** Enormous doubts.

**Hon. Mr. Davis:** —but simply simplistic and one-dimensional answers. Of course, what we face in reality today, and it is one of the problems we have in this province and one of the realities touched upon very directly by the Throne Speech is that government in real life in an open and free democracy is simply not that easy.

[3:15]

Clearly, for example, the Leader of the Opposition, if he were Premier of this province—and I've got to tell you, Mr. Speaker, we're going to make every effort to see it doesn't happen—would like to see the Minister of Health and the Ministry of Health operate in a one dimensional, simple-minded fashion.

To follow the logic, and I listened carefully to his observations on Monday, which is not totally unrepresentative of previous positions he has taken, the Ministry of Health would sit down and decide that because there were certain individuals who may be involved in overbilling with respect to laboratories, because certain doctors and laboratories may be involved in misusing the OHIP system, because there may be meaningful losses which may be resulting in this sort of activity, and before every last possible misuse of funds was rooted out of the system, the ministry should stop all streamlining activities it had embarked upon in order to preserve the integrity of the system.

**Mr. Lewis:** I never said that.

**Hon. Mr. Davis:** The Leader of the Opposition may not like to hear it said that way,

but really if one follows the line of his logic on Monday that is precisely what he is saying.

**Mr. Cassidy:** That's not the way he said it.

**Mr. Lewis:** You guys should resign, is that what you're saying?

**Hon. Mr. McKeough:** He asked a question today to the same effect.

**Hon. Mr. Davis:** That's right.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Rhodes:** Where's that caucus discipline over there?

**Hon. Mr. Davis:** I just want to interject this observation, and I confess my personal bias, but I think we're lucky in this province of ours that our Minister of Health and our Ministry of Health is not receptive to that type of simplistic and distorted view of government.

**Mr. Moffatt:** He's not here.

**Mr. Lewis:** That's a wrong supposition.

**Hon. Mr. Davis:** I was impressed by the degree to which the Leader of the Opposition sought to engage this government on the matter of consultation.

**Mr. Lewis:** Yes.

**Hon. Mr. Davis:** I've heard this observation from him even before he became Leader of the Opposition.

**Mr. Lewis:** That's entirely possible.

**Hon. Mr. Davis:** I heard the questions on consultation with the art college, with various other post-secondary institutions—

**Mr. Lewis:** Going back to the old days.

**Hon. Mr. Davis:** Yes, and one should never forget the old days, I would say to the hon. Leader of the Opposition, because we have a very good memory and we may be reminding the people of some of those observations.

**Mr. Lewis:** When you used to exhort the students.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** You went down to the art college to inflame the students to riot.

**Hon. Mr. Davis:** Yes, I certainly did. I'm interested in consultation.



**Mr. Cassidy:** You're really grasping for straws.

**Hon. Mr. Davis:** I sometimes think we do it seven days a week; never to the satisfaction, of course, of those who are directly affected. But I really ask the Leader of the Opposition, if he were to try to look at it objectively, if that's possible? In what community in this province, with what city council or town council, with what board of hospital administrators will any government find agreement with respect to closing an institution or limiting its size? I've met with some of these people and I'm going to meet with some more this afternoon. There isn't a mayor, there's not a hospital board chairman or an administrator who isn't going to make a case for his community and for his hospital; and I totally understand that.

**Mr. Lewis:** Does that mean you don't give them that opportunity?

**Hon. Mr. Davis:** To say you're going to solve these problems through the straight process of consultation only; I wish it were possible, Mr. Speaker, but I've got to tell the Leader of the Opposition he has to be somewhat realistic.

**Mr. Cassidy:** They used to do that in Spain.

**Hon. Mr. Davis:** This government has the capacity and it has the courage to face that type of difficulty—

**Mr. Martel:** Who created it then?

**Hon. Mr. Davis:** —and to make the type of decisions which are in the long-term interest of a health system that is providing—and this is something that you sometimes forget over there—

**Mr. Lewis:** We agree.

**Hon. Mr. Davis:** You don't state to the public, and I can understand this, that it happens to be the best system of medical services anywhere in this country. And I'll be more expansive today—

**Mr. Lewis:** I'm sure you will.

**Hon. Mr. Davis:** —anywhere in North America!

You know, there has been a lot of emotion in the last couple of months. But let's not forget one thing: Whatever restraint is being imposed, whatever alterations are being made in the system, the system in this province will still be the finest that can be had anywhere

in this country; the hon. members across the House know it and it's time the public had a greater awareness of it.

I have got to tell the hon. members opposite that this government, which they say is insensitive and has no feeling of humanity, this government helped create that system—and they shouldn't forget that in the process either.

Interjections.

**Hon. Mr. Davis:** Certainly we did—and it's the best.

**Mr. Cassidy:** You were dragged into it kicking and screaming. Remember John Robarts? What about John Robarts and Medicare?

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** People aren't flocking to Manitoba or Saskatchewan; they may start moving to British Columbia now a little bit, but they sure weren't for a while.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Mr. Speaker, to get back to the more relevant parts of my—

**Mr. Cassidy:** You've been studying the speeches of John Robarts, haven't you?

**Mr. Lewis:** So far, so good.

**Hon. Mr. Davis:** Listen, don't become too relaxed; I wouldn't want that.

**Mr. MacDonald:** It's a pretty imaginative approach.

**Hon. Mr. Davis:** Well, I know the member for York South, with his years of experience, likes imagination.

**Mr. MacDonald:** Look around this enlarged caucus and you can see the results of my imaginings.

**Hon. Mr. Davis:** He has been imagining things for the last X years in this House.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I can even go back to what the hon. member imagined some of his colleagues were trying to do to him at one point in time. I can remember that so well.

**Mr. Lewis:** Leave him alone. He imagines; you hallucinate!

**Hon. Mr. Davis:** Mr. Speaker, I would say my hallucinations probably have greater relevance than anything the Leader of the Opposition has to contribute.

**Mr. Moffatt:** He imagines you were Minister of Education.

**Hon. Mr. Davis:** Well, I was. Those were the simple days.

**An hon. member:** Oh, yeah!

**Hon. Mr. Davis:** I don't want the member for St. George (Mrs. Campbell) to take offence; when I said they were simple days, I meant they were uncomplicated days. She is gone; she is not here to listen to me. I am disappointed.

**Mr. Sweeney:** She has heard it before.

**Hon. Mr. Davis:** I say this respectfully to the member for St. George, if her colleague would convey this impression to her: She may have heard some of this before, but anything more that she can gain from these relevant passages this afternoon will stand her in totally good stead. I say that very kindly, very objectively. I will get around to the third group here shortly.

**Mr. Cassidy:** Now you see them, now you don't.

**Hon. Mr. Davis:** Oh no, it's worse than that, it's worse than that.

**Mr. Lewis:** We could have a good campaign if they could be excluded.

**Hon. Mr. Davis:** And I know who would win—even with them included!

**Mr. Bullbrook:** Do you know why Stuart Smith isn't here to hear you today?

**Hon. Mr. Davis:** Because he is in Windsor.

**Mr. Bullbrook:** He has heard you before.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** He is in Windsor. Listen, I know the member for Sarnia is a very loyal party supporter; I sat and watched him yesterday during his leader's observations, and there is no question he was totally embarrassed at what was going on.

**Mr. Bullbrook:** Very prideful I was.

**Hon. Mr. Davis:** I was just glad the member for Sarnia wasn't giving the speech yesterday afternoon.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** Mr. Speaker, I want to get back to these important passages.

**Mr. Moffatt:** Before somebody misses them.

**Mr. Foulds:** Because they have already been released to the press.

**Hon. Mr. Davis:** Mr. Speaker, what the Leader of the Opposition implied—and I tried to analyse what he said—what he implied, perhaps indirectly but nevertheless very clearly on Monday, is not only a lack of faith in this government, for that's what he is paid to say—

**Mr. Cassidy:** He didn't imply that; he said that.

**Hon. Mr. Davis:** That's what he's paid to do; that's part of his responsibility—and that shouldn't be revolutionary or surprising to anyone in the gallery or anywhere else.

**Mr. Cassidy:** Not even to you.

**Hon. Mr. Davis:** But it's his lack of faith in the people of this province and in their capacity—

Interjections.

**Hon. Mr. Davis:** His lack of faith in the people of this province—

**Mr. Lewis:** Come on.

**Hon. Mr. Davis:** —to separate their wants from their needs and to separate inconvenience from lack of service. I guess this is one of—

Interjections.

**Mr. Speaker:** Order, please. The hon. Premier has the floor.

**Hon. Mr. Davis:** This is one of the fundamental differences between the Leader of the Opposition and those whom he leads and the party it is my privilege to lead. I want to return for a moment to the question of economic management.

**Mr. Bullbrook:** Yes, you should.

**Hon. Mr. Davis:** It is clear that the—I heard that; I'll get around to your capacity to manage. Not his personally, I would say to the member for Sarnia; I think it is tremendous.

**Mr. Bullbrook:** You are the author of this deficit situation we have had to endure since you became Premier.



Hon. Mr. Davis: Be very careful.

Interjections.

Mr. Speaker: Order, please.

Mr. Bullbrook: You are the fellow who built the hospitals you are now closing. Tell us about that.

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Mr. Speaker, I want to return to the—

Mr. Cassidy: Do you want a razor blade?

Hon. Mr. Davis: Listen, we've been here for 30 years and this province, in terms of health, education, transportation, social services, any field you can mention, is the leader in this country and hon. members very well know it.

Interjections.

Hon. Mr. Davis: That's right; that's true.

Interjections.

Hon. Mr. Davis: The only thing we haven't got are the Olympics. We haven't got the Olympics.

Interjections.

Mr. Bullbrook: You are the champion spendthrift of all time.

Mr. Speaker: Order, please.

Mr. Bullbrook: You built the hospitals that you are now closing up.

Hon. Mr. Davis: I will say to the member for Sarnia that what his people promised to spend from 1967 onwards would curl his hair.

Mr. Shore: How is the German mark?

Interjections.

Hon. Mr. Davis: Well, it would.

Mr. Speaker, I want to get back. It is becoming pretty obvious that the Leader of the Opposition is somewhat stealthy and quietly seeking to reach into the Liberal quiver of arrows and stones to sort of steal away the financial manager's role as he gets ready for the next campaign, whenever that may be.

I have lunches with the Rotary Clubs—which I know he is enjoying as well—and

the real estate boards across this province. They're getting to the Leader of the Opposition; they really are, and I'm not referring to any caloric intake. The fiery radical, the champion of the little people, the man for whom no injustice could be tolerated, has now discovered fiscal responsibility. What a revelation! Where did he get it from?

Mr. Lewis: It is time.

Hon. Mr. Davis: Certainly it is.

Interjections.

An hon. member: You're not getting at anybody.

Interjections.

Hon. Mr. Davis: In his attack on the Throne Speech, he moved a non-confidence motion which, I say with respect, it is his traditional responsibility to do. No one questions that. I assume we'll be voting on it on April 5 and I want all members to understand that the first plank in my friends campaign for sound economic management is to deny the people of Ontario a budget on April 6.

Mr. Renwick: He gave us the budget on Dec. 11.

Hon. Mr. Davis: I can see the billboards now: Vote for us because we don't want a budget. That's plank No. 1.

Mr. Nixon: Your last one put us in debt by \$2 million. We cannot afford another.

Hon. Mr. Davis: That's what I describe as a good beginning. It is a good start on fiscal responsibility.

Mr. Reid: You are out.

Interjections.

Hon. Mr. Davis: I want the House leader to remind the leader of the Liberal Party that that is precisely the approach to economic management he would be supporting by joining with his friend, the Leader of the Opposition, on April 5. Don't let him think he can weasel his way out of the responsibility for what may happen.

Mr. Lewis: Offer your budget.

Interjections.

Hon. Mr. Davis: He's not going to be here on the night of April 5? I don't believe it.

Mr. Shore: Red herring.

Mr. Kerrio: Salvation of Ontario.

Mr. Nixon: Your last budget gave us a deficit.

Mr. Lewis: He couldn't be here; he has a barbecue.

Mr. Eaton: A pool party.

Hon. Mr. Davis: I want to remind both my friends across the House that if it is their wish that Ontario should be plunged into an unnecessary election at this time, an election that will cost the taxpayers millions of dollars; if it is their wish that this government be denied its opportunity to present its budget simply because the leader of the Liberal Party wants to get to know the people, or some one over there has taken a poll, then I would say—  
[3:30]

Mr. Shore: It cost \$500 million the last time.

Mr. Lewis: He's missing.

Mr. Mancini: We know where he is, he is in Chatham.

Hon. Mr. Davis: Chatham; Windsor—he's in western Ontario.

Mr. Lewis: He's missing this for Chatham?

Hon. Mr. Davis: Listen, you don't get this kind of entertainment anywhere.

Mr. Lewis: Who would believe it?

Mr. Nixon: It's the most repetitious show in town.

Mr. Lewis: He's propping up the member for Windsor-Walkerville (Mr. B. Newman).

Hon. Mr. Rhodes: He can't go to the Soo either.

Hon. Mr. Davis: What I want the members of the House and the public to know, Mr. Speaker, is that the calling of any election will be on their heads across the House, and it will be a critical issue they will have to answer for in any campaign.

Mr. Nixon: Do you know Eddie Goodman almost got into the wrong meeting last night?

Hon. Mr. Davis: Listen, ask your friends in London North. I intend to be done by 4 o'clock, I hope. I'll give you a little quote later on.

Mr. Yakabuski: What has happened to you fellows?

Mr. Eaton: What's gone wrong?

Mr. MacDonald: The Premier is interrupting himself.

Hon. Mr. Davis: Yes, I am, far too much. I would acknowledge that from the member for York South. I'm interrupting myself far too often.

The leader of the Liberal Party, Mr. Speaker—and I was very sincere at the opening of the House in extending my congratulations to him; I'm not going to repeat them except to say that I understand some of the difficulties of being a leader of a political party—

Mr. Lewis: But!

Hon. Mr. Davis: No, there is no "but." I do wish him well; not too well. But I would say because I've said it before, that in spite of differences, the member for Brant-Haldimand-Norfolk—

Mr. Nixon: How soon you forget.

Hon. Mr. Davis: When he was the member for Brant I had no problem at all; it's when he became the member for—

Mr. Nixon: You used to go out of your way to call me that, as I recall.

Hon. Mr. Davis: I do express my best wishes to him as well; most sincerely, in spite of the—

Mr. Nixon: Not on my retirement, I hope.

Hon. Mr. Davis: I was wondering if that might take place. But whether that takes place or not, I do express to him by best wishes.

Mr. Lewis: Why?

Hon. Mr. Davis: I've got some advice, now, for the leader of the Liberal Party. He really shouldn't give in so easily when his colleague, the Leader of the Opposition, seeks to steal the financial management issue from him. Please convey this to him. For while the NDP may handle it more effectively than it was handled in the last campaign, the record in government should also be kept in mind. I offer this only as assistance to the leader of the Liberal Party in his battle for retention of this issue. I think there's a lot to be learned elsewhere.

Mr. Lewis: Don't be silly; there is nothing to be learned elsewhere.



**Hon. Mr. Davis:** Oh yes there is, and you know it.

Interjections.

**Hon. Mr. Davis:** Mr. Speaker, he might take a look at what was the pride and joy of the New Democratic Party of this country, the great Province of British Columbia.

**Mr. Lewis:** Stick to Ontario, for heaven's sake; that was in the past.

**Hon. Mr. Davis:** Of course, I apologize to the Leader of the Opposition for mentioning British Columbia.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** I really apologize for mentioning it. I struck a sensitive nerve.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** I did indeed. On Dec. 12, the day after the NDP experiment was rejected out there—and really, I should not be so hard on my friends in the New Democratic Party; they are, after all, so fair and reasonable in their criticisms of the government here, always fair and reasonable—I could mention what happened to the ICBC; but that would be unfair, I don't want to do it.

I could discuss BC Hydro; but I won't. Or the transit bureau of that province; but I don't think it really is that relevant.

**Mr. MacDonald:** How about Krauss-Maffei?

**Hon. Mr. Davis:** The people will know. Indeed, when one looks at it, especially if you get into deficits, it's really something else.

Interjections by hon. members.

**Mr. Speaker:** Order please.

**Hon. Mr. Davis:** But with an NDP average growth rate in spending of 28.5 per cent and a forecast record of 30.4 per cent in this past year, economic management in the terms of the New Democratic Party very simply means economic disaster.

Interjections.

**Hon. Mr. Davis:** I am saying this as constructively as I can.

Interjections.

**Hon. Mr. Davis:** But it's true and they know it's true. This is the type of performance, this is the kind of direction and the policy that the leader of the Liberal Party would be supporting if he joined the New Democrats to prevent us from continuing to govern. He is supporting that type of approach to government.

**Mr. Reid:** I think the Premier is stretching it a little bit.

**Hon. Mr. Davis:** The Liberal leader certainly is.

**Mr. Reid:** We are not supporting you, that's who we are not supporting.

**Hon. Mr. Davis:** I don't care what he says in this House, that's what he is doing.

**Mr. Reid:** We are not supporting you and your phoney programmes.

**Mr. Eaton:** They didn't do anything for you up north, eh?

**Mr. Sargent:** Just fed up with you, that's all.

**Hon. Mr. Davis:** It has occurred to me that there may be some other motivation behind the Liberal Party's rekindled desire to obstruct the work of this House and force an election.

Interjections.

**Hon. Mr. Davis:** I know that all of us make observations from time to time and we wonder why we made them.

**Mr. Reid:** Yours always happens during elections, though.

**Hon. Mr. Davis:** I know that Feb. 20 was quite a while ago, but you know, the leader of the Liberal Party is quoted in the St. Catharines Standard—and that is a very reputable paper—

**Mr. Good:** What happened to the member for St. Catharines (Mr. Johnston)?

**Hon. Mr. Davis:** —where he told a meeting of politicians in Metropolitan Toronto—

Interjections.

**Hon. Mr. Davis:** —the Grits would not vote with the NDP in the Legislature to bring down the minority government.

Interjections.

**Hon. Mr. Davis:** That wasn't long ago, but that is while there was still some degree of

leadership. But what was worse—and I think it's a tremendous quotation; this is really quite incredible—and this is directly a quote of the new leader of the Liberal Party of Ontario, not too many days ago: "I suspect if we bring down the government on this issue they may win the subsequent election with a thumping majority and be in power for another four years."

Mr. Lewis: My, oh my.

Mr. Reid: That's as close as you will come to thumping, I'll tell you. The last time some of you will thump your desks.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I'll tell you this much, the member for Brant-Haldimand-Norfolk, even if he thought we would, would never have said so in public.

Mr. Nixon: I never thought you would and I don't think you will.

Hon. Mr. Davis: He never would have said so. But you know, Mr. Speaker, I am a little suspicious—

Mr. Sweeney: It took him a month to learn.

Hon. Mr. Davis: —the motivation behind the amendment yesterday may be something else. They may be afraid of the April 6 budget. It may be that they are a little concerned—

Mr. Reid: Tell us about the supplementary estimates you bring in in the fall.

Mr. Sweeney: One billion dollars, two billion, three billion.

Hon. Mr. Davis: They may be a little concerned that their \$2 billion projection of the deficit will not be borne out. They may be a little concerned about that.

Mr. Reid: What is the deficit going to be?

Mr. Speaker: Order, please.

Mr. Shore: Give us a little preview.

Hon. Mr. Davis: They may be afraid that their prophecy of gloom and doom will be destroyed by the facts; something that party has always had difficulty in coming to grips with.

Interjections.

Hon. Mr. Davis: They may even find facts that will discredit their approach and they may find facts that they don't want us to put

to the people. I don't want to exaggerate these things—

Interjections.

Hon. Mr. Davis: Of course not. Of course I don't. But the budget planned for April 6 would have constituted a similar expression of faith in the capacity of our people, and it's up to my friends opposite—

Mr. Sweeney: We have faith in the people. It is you we don't trust.

Hon. Mr. Davis: —it's as simple as this, to decide whether or not that expression of faith is to be allowed to proceed.

Mr. Lewis: If you want to bring it in now, bring it in now; do it.

Hon. Mr. Davis: It is up to the gentlemen and ladies opposite that we will be allowed to continue and allow this government to continue its battle against inflation and its battle to ensure an economically stable future for this province. From the very beginning, our party has stood alone in this province in supporting total co-operation with the national anti-inflation programme.

Interjections.

Hon. Mr. Davis: You people have not supported it. You make no bones about it.

Mr. Cassidy: You mean the anti-wage programme.

Hon. Mr. Davis: We also stood alone in saying there would be no special cases, no inequities, no last-minute interventions by any hastily concocted provincial board.

Mr. Cassidy: You mean that anti-wage programme.

Mr. Lewis: Rough justice is what you call it.

Hon. Mr. Davis: We stood alone in this country for governmental spending restraints and reducing the drain on the gross national product by too much spending.

Mr. Good: What a distortion of the facts!

Hon. Mr. Davis: Listen, don't try to divorce yourselves. Show me what restraints the federal government of Canada is really exercising in its own fields of responsibility.

Mr. Cassidy: Show me what restraint you are exercising.

Interjections.



**Hon. Mr. Davis:** On April 5 we may stand alone in this House in our defence of a bright and economically viable future.

**Mr. Singer:** When the argument gets hot you rant and rage at Ottawa.

**Hon. Mr. Davis:** We may stand alone in wanting to provide people with secure and comprehensive medical care by streamlining the system.

**Mr. Singer:** That is what it is?

**Hon. Mr. Davis:** We may stand alone—read the whole Throne Speech—in our commitment to reduce welfare spending and encourage more people to seek work.

**Mr. Cassidy:** Which is not available.

**Hon. Mr. Davis:** I want the people in the Liberal Party to hear this because I really know that the NDP have gone beyond any hope in this area.

**Mr. Shore:** Tell the Minister of Community and Social Services (Mr. Taylor) to hear it.

**Hon. Mr. Davis:** We may stand alone in our commitment not to squander Ontario's resources or destroy free enterprise in the north. We may stand alone on all of these issues on the evening of April 5. I've got to tell the members opposite something: We may stand alone here in this Legislature, and if we do, I tell you we will be standing with the people in this province and if we are forced by the other parties—

**Mr. Lewis:** Yes, but out there in the great public we will have hordes.

**Mr. MacDonald:** What about the 64 per cent who voted against you?

**Hon. Mr. Davis:** We will take our case to the people and we'll let them know where we stand and we will sure as heck let them know where you people stand in the process.

**Mr. Makarchuk:** They have insomnia on the back benches there.

**Hon. Mr. Davis:** I am not really impressed by the Leader of the Opposition's sort of sense of helplessness about the situation the Legislature now finds itself in.

**Mr. Lewis:** I don't feel helpless.

**Hon. Mr. Davis:** A little bit helpless yesterday.

**Mr. Moffatt:** At least he is not beside himself.

**Hon. Mr. Davis:** He appears to have taken the view that he's been trapped by events and is a victim of some obscure Liberal plot.

**Mr. Lewis:** We invited events, my friend. We are not trapped by them. I'm quite happy with them.

**Mr. Warner:** Are you talking down?

**Mr. MacDonald:** It is that group down there that is upset.

**Mr. Lewis:** We moved the amendment.

**Hon. Mr. Davis:** There is no question but that that amendment threatens the stability of this Parliament. So he thinks he will shift part of the blame that the fat may now be in the fire, as would the leader of the Liberal Party yesterday. But his cavalier action indicates he simply cannot. His amendment, and I say this to the leader of the Liberal Party, is as profound as his party's 1975 election platform. It really is profound. I don't know who drafted it for him, whether it was the member for Wilson Heights (Mr. Singer) or who did it.

**Mr. Good:** You lost the 23 seats, we didn't.

**Hon. Mr. Davis:** For example, he would force an election on the people because some would say they would have hospitals stay open—and who would not—and would say that this government is insensitive. He would say that municipalities and school boards who are being asked to share with Ontario the job of cutting priorities and protecting our economic future—

**Mr. Nixon:** Carry the load.

**Hon. Mr. Davis:** Certainly they are.

**Mr. Cassidy:** You are passing the buck.

**Hon. Mr. Davis:** I've got some news for you—I think the municipalities and the school boards are going to be able to do it, in spite of the observations you people across from us make.

**Mr. Singer:** Not much longer. That's your fault.

**Hon. Mr. Davis:** Ceilings on growth in social services are being provided to ensure that this province can always afford the social services it needs for its people. This appears to be, in his mind, a cause for an election and the Liberal leader appears to have decided to use these levers of obstruction and instability. The Liberal leader apologized for any comments he made—

[3:45]

**Mr. Singer:** Anyone who disagrees with you obstructs or is unstable.

**Hon. Mr. Davis:** —which were misinterpreted with respect to Marx and the NDP. I thought that was a great observation.

**Mr. Singer:** The Liberal leader expressed it before.

**Hon. Mr. Davis:** As well he should have. The Leader of the Opposition wondered why Adam Smith or Sun Yat-sen were not cited as philosophical antecedents for certain forms of Ontario political thoughts. I have to say that Marx, Sun Yat-sen and Adam Smith are far too thoughtful ancients for the Liberal Party in Ontario and its new leader to relate to. Far too ancient.

**Mr. Peterson:** For you, include King Farouk.

**Mr. Lewis:** I also said Henry VIII.

**Hon. Mr. Davis:** I am usually a charitable person. I really am.

**Mr. Peterson:** Come on; let's hear some desk thumping.

**Hon. Mr. Davis:** If it had been the Liberal leader's maiden speech, if this was going to continue, I might not make some of these observations but I have to.

**Mr. Nixon:** Go ahead.

**Hon. Mr. Davis:** It is a very serious matter and we are taking it seriously. Yesterday's nonchalant speech—it is the only way I can describe it—the negativism in it and the almost—

**Mr. Lewis:** Studied.

**Hon. Mr. Davis:** —casually drafted innocuous motion—I used to play a little football—they are reminiscent of the halfback who has suffered one too many tackles—

**Mr. Shore:** What position did you play?

**Hon. Mr. Davis:** —and sort of seems incapable of understanding the play, let alone carrying the ball.

**Mr. Riddell:** You were a lot better last fall.

**Hon. Mr. Davis:** I believe that this Legislature has the right to know precisely—

**Mr. Gaunt:** Are you an Argo fan?

**Hon. Mr. Davis:** Yes, I used to play a little. This Legislature has the right to know precisely what initiatives and measures the suc-

cess of a non-confidence motion on April 5 will affect? Let us look at what a defeat on the Throne Speech would affect:

The steady progression toward consolidation of financial resources and the services which these resources provide—

**Mr. Cassidy:** What on earth does that mean?

**Hon. Mr. Davis:** —in the protection of the ultimate interests of the citizens of this province is something my friends are prepared to unite against.

**Mr. Singer:** Another \$2 billion deficit? Or maybe \$2.5 billion?

**Mr. Lewis:** What does that mean?

**Hon. Mr. Davis:** The continued reduction of government spending at all levels is something the Liberals and New Democrats appear to be uniting against.

**Mr. MacDonald:** Your budget will be bigger this year.

**Hon. Mr. Davis:** The maintenance of a healthy climate for the growth of the private sector and the generation of greater wealth for all our citizens is what the Liberals and the New Democrats are prepared to unite against.

**Mr. Lewis:** You make it sound like the anti-Christ.

**Hon. Mr. Davis:** That, my friends, is only part of the story. A programme by the Ministry of Labour to reduce labour unrest in this province through greater analysis and study and initiatives. This, too, my Liberal friends and NDP friends appear to be uniting against.

**Mr. Singer:** The teachers will certainly attest to that.

**Hon. Mr. Davis:** The return to the taxpayer—the Metro members should think of this one—of unused funds due to the strikes of employees of school boards. My friends are prepared to bring this House down so that the taxpayers in Metro will not get relief from this legislation. They are opposing it. Sure they are.

Interjections.

**Hon. Mr. Davis:** They are prepared to deprive the farmers of an income stabilization programme. That, too, they are prepared to unite against. Oh, yes, they are.

**Mr. Cassidy:** You have no credibility at all.



**Hon. Mr. Davis:** They might as well know discredit is their name.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Mr. Speaker, they are quite obviously against the home warranty programme as well. How are they going to explain that on the hustings to all the new home-buyers? They are opposed to it. They don't want to see it go through.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Lewis:** I'd be willing to pay for this performance.

**Hon. Mr. Davis:** Despite yesterday's motion and the posturing by the opposition members of this Legislature, Mr. Speaker, do you know what they haven't done? They haven't told the people of Ontario what they stand for.

**Mr. Lewis:** Yes, we have. We'll tell them more in the campaign.

**Mr. Sweeney:** The Premier didn't even keep his election promises.

**Hon. Mr. Davis:** They sure know what they stand against.

**Mr. Lewis:** We have told them chapter and verse.

**Hon. Mr. Davis:** Obviously, my friends opposite don't want to hear the development goals which the Throne Speech clearly indicated this Legislature was going to be asked to consider and support.

Interjections.

**Hon. Mr. Davis:** Clearly, they would wish this province with no goals, no development strategy and no capacity to protect its future.

Interjections.

**Hon. Mr. Davis:** Mr. Speaker, of course this would not be too surprising for those who have watched the vacillation and contradiction of the Liberal leader, on this issue, for example, since his recent election to that post. Let me offer one example in a kindly fashion to him. In my good friend's speech at the convention—I watched a portion of it—

**Mr. Nixon:** Excellent.

**Hon. Mr. Davis:** —which chose him as leader. I thought the member for London Centre (Mr. Peterson) made a very good speech.

**Mr. Nixon:** Excellent—very good.

**Mr. Moffatt:** Tomorrow starts Monday.

**An hon. member:** Chose the wrong guy again.

**Hon. Mr. Davis:** He lamented the disappearance of farm land. He underlined the need to do something about it and then—

Interjection.

**Mr. Speaker:** Order, please. Order.

**Hon. Mr. Davis:** —later on in that same speech. You see, Mr. Speaker, the Leader of the Opposition is wrong in believing the leader of the Liberal Party vacillates between lunch and dinner. He can move more quickly than that. It can be in the same speech. Later on in that same speech, he called for the dismantling of those levels of government and for the limiting of this province's very real capacity to exercise any influence, to slow down the paving or the asphalt, or the reduction or the over-development of farm land. He raises the issues and then some of the vehicles that we can use to come to grips with the problems—and he then suggests in the same speech that they should be totally eliminated. Mr. Speaker, he gladly offers an umbrella when the sun shines but wants it taken away when it rains.

**Mr. Speaker,** I would be delighted and I will be looking forward to debating his approach to this issue in this House and perhaps across Ontario, if need be. I say to the member from the Soo—

**Mr. Sargent:** Why are you running scared?

**Hon. Mr. Davis:** —I might even ask him to join me in Sault Ste. Marie, if he isn't too frightened to go back there.

**An hon. member:** You mean he is prepared to go into the north again?

**Mr. Nixon:** I hear your member there is in trouble.

**Hon. Mr. Davis:** Don't put Sault Ste. Marie on his itinerary; not on his itinerary.

**Hon. Mr. Rhodes:** They don't like it there.

**An hon. member:** You don't want to go north.

**Hon. Mr. Davis:** But there are development goals; and these are some of the elements, along with greater assistance to the mining industry, that my friends opposite are clearly against. I am not surprised. They are consistent. The NDP has taken its stand against

assisting the mining industry—the party of nationalizing potash; the party of nationalizing the resource industries—

**Mr. Renwick:** That's right.

**Hon. Mr. Davis:** If they can't nationalize them, they tax them out of business—

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** The pulp and paper industry—I can recall the member for Welland (Mr. Swart) asking when we were going to nationalize it. I didn't even mention it when I was in his riding the other night. Temptation was great, but I behaved myself. I didn't mention it.

Interjections.

**Hon. Mr. Davis:** At least, Mr. Speaker, they are being consistent. They still believe in nationalization of the basic industries in the Province of Ontario. But what I am disappointed in, Mr. Speaker, is the Liberal Party. By taking the same stand on this vote, they will be voting against the Throne Speech—and they are saying some pretty basic things about their commitment to free enterprise in the north and throughout Ontario.

I say to the member for London North (Mr. Shore), who professes to be a great free enterpriser, along with the member for London Centre (Mr. Peterson)—well, he's the most. Does he want to know what he is doing? That is the most. He can construe that any way he wants. Does he want to know what he is doing? In supporting that amendment he is voting against the expressed direction that this government wishes to take in assisting the development of the mining industry within the free enterprise system of the province. And they are going to have to take the consequences. We are not going to let them forget about it.

**An hon. member:** It will be hard to get out of.

**Hon. Mr. McKeough:** You are as red as they are. You are red over there.

Interjections.

**Hon. Mr. Davis:** And you know, Mr. Speaker—

**Hon. Mr. McKeough:** Join together!

**Hon. Mr. Davis:** I've got to say this, it's not red tape; no question.

**Hon. Mr. McKeough:** That's right.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** Of course, any leader who is capable of calling the reduction of welfare costs with respect to able-bodied people, pandering to some right-wing sentiments, I think, is—

**Mr. Lewis:** That's not what he said when it was announced. When it was announced he congratulated you. It became right-wing after.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** Certainly he did. I just find it totally amazing. I think he used the term "red neck sentiment"; anybody who expresses that, I think, is capable of expressing anything.

**Mr. Lewis:** That's true. He is in the Liberal tradition.

**Hon. Mr. Davis:** I make this promise to the House: To no longer express surprise at the meanderings of a party which lacks any philosophy, which understands very few urban and critical issues and offers no direction for the people of this province. I express no surprise any more. Yesterday's exhibition was a clear example of the nonchalant and casual way they would choose to deal with Ontario's vital interests.

**Mr. Lewis:** Kind of "Trudeauesque," you might say. Come on, he's their Prime Minister; let them come with us.

Interjections.

**Mr. Lewis:** Bill Stewart is out phoning the judges.

**Hon. Mr. McKeough:** Well, they're not in Chatham, I'll tell you that.

**Hon. Mr. Davis:** There is more that could be said, of a partisan nature, but I'm going to resist. I'm going to add only one final thought to this part of my observations—

**Mr. Singer:** How are you going to vote?

**Hon. Mr. Davis:** Anyone who believes that yesterday was a total accident and that one of my colleagues opposite found himself unwillingly trapped in some chain of events, is naive and simply mistaken. Ontario is faced with an effort to force an unnecessary election on the people of this province by two opposition parties jockeying for position. Insofar as the government I lead is concerned, I offer to this Legislature and to the people of this province one fundamental pledge: We



will continue to govern, to lay before the people and the Legislature the elements of our programmes.

**Mr. MacDonald:** Including your budget?

**Hon. Mr. Davis:** If you allow us.

**An hon. member:** Bring it in tomorrow.

**Mr. Cassidy:** Go ahead.

**Hon. Mr. Davis:** We will continue with our legislative plans and programmes. We will not alter the ongoing commitment to govern this province which was sought in the last election campaign. The Progressive Conservative government of Ontario shall continue to govern until it is defeated by the opposition in this Legislature. It is as simple as that.

**Mr. Singer:** It won't be long.

**Hon. Mr. Davis:** The people shall continue to be served and we're not going to move precipitously with respect to a campaign until there is a combined no-confidence vote, such as the one that apparently is scheduled to transpire on April 5. When the opposition parties decide they will force an election, there will be an election in this province. Until that time, the people of this province have the right to know that government continues to serve and problems continue to be dealt with. The initial goals of this government—

**Mr. Nixon:** That's what you're being paid for.

**Hon. Mr. Davis:** Listen, ask one of your members; we're going to try and deal with one this afternoon. I'll see you there in about an hour.

**Mr. Warner:** It is 4 o'clock.

**Hon. Mr. Davis:** I was going to try to be done by 4 o'clock but we were pretty tolerant on Monday last. We were pretty tolerant.

**An hon. member:** We don't mind; carry on.

**Hon. Mr. Davis:** The initial goals of this government, established in the Throne Speeches last fall and this spring with respect to guiding Ontario through—let's not kid one another—tough economic times which are international in scope, will continue to dominate government policies; the continued commitment to underline the need for an affordable society in all government actions will continue to dominate government spending and activity. Our continued participation in

the national programme to fight inflation will also persist, you might as well know it.

[4:00]

The security and freedom of the individual from oversized government, economic breakdown at the institutional and personal level from inequity and disadvantage—these remain the guiding principles and directions of this government.

A firm position with respect to Ontario's interest within Confederation and Canada, with respect to energy, with respect to trade, and with respect to tax sharing—these will also continue to determine our posture as part of this country.

A firm position with the public sector with respect to strikes and withdrawal of services will typify the discipline that we seek to provide as an example.

Encouragement for moderate growth across this province in the interests of the economic viability of all regions will dominate our government's overall strategies and attitudes.

A belief in the need for government to provide greater safety for the consumer, for the motorist, through more effective safety regulations, continues to typify this government's concern with respect to the personal well-being of the citizens of this province. If the opposition parties persist, and if we are unable to effect the improved changes in the administration of justice, the rights of people, the blind or the homeowner with a meaningful warranty, if this is their decision—

**Mr. Singer:** Start by giving the Attorney General (Mr. McMurtry) more money.

**Mr. Lewis:** You have had 30 years to do that.

Interjections.

**Hon. Mr. Davis:** But, Mr. Speaker—

**Mr. Speaker:** Order. Order, please. Order.

**Hon. Mr. Davis:** —this will not prevent us from continuing to fight for these things with every means at our disposal.

**Mr. Lewis:** You are going to have to.

**Hon. Mr. Davis:** Mr. Speaker, it may very well be that things have been set in motion here that preclude this government from continuing to govern. That is something ultimately for my friends across the House to determine. You know there was—

**Mr. Lewis:** Have faith in the public.

**Mr. Renwick:** They will decide.

Interjections.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Oh no, let's not kid one another.

Mr. Speaker: Order.

Hon. Mr. Davis: You people will be making this determination.

Mr. Lewis: Have faith in your great public.

Hon. Mr. Davis: There was a belief, Mr. Speaker—

An hon. member: They don't want to know. They don't want an election.

Hon. Mr. Davis: —that a minority Legislature could have worked in this province; I think there was a belief.

Mr. Lewis: Not the way you have behaved.

Interjections.

Mr. Speaker: Order. Order, please.

Hon. Mr. Davis: I think there was a belief that political parties would be responsible enough to give it a chance to work—

Mr. Lewis: You don't even have a Legislature.

Interjections.

Mr. Martel: We gave it a chance.

Mr. Cassidy: We made it work.

Hon. Mr. Davis: —and obviously, Mr. Speaker, on April 5—

Hon. Mr. Wells: They want you to work here.

Hon. Mr. Davis: —it will be the date for broad public judgements of the sincerity of that effort.

Mr. Martel: Balls.

Hon. Mr. Rhodes: That was the member for Sudbury East.

Mr. Speaker: Order, please.

Interjections.

Mr. Speaker: Order, please. Order.

Interjections.

Hon. Mr. Davis: A great contribution, Elie. A great contribution.

Hon. Mr. Wells: You just get down to work here.

Hon. Mr. Davis: You are a great contribution.

Mr. Lewis: Come on, that is political patois around here.

Hon. Mr. Davis: As Premier, Mr. Speaker, and as leader of our party, I know that there is nothing in the present obstructed state of affairs that is the doing of our government. And I can live with my conscience, knowing that we have given minority government, and are still prepared to give it, our very best. And we will be encouraged by one thought, Mr. Speaker—

Interjections.

Hon. Mr. Davis: —and I just want you to listen to this because I think this may be relevant.

Mr. Sargent: Get off your knees. Quit begging!

Hon. Mr. Davis: We will be encouraged by one thought as we face the difficult days ahead in trying to preserve stability in government for this province—

Interjections.

Mr. Lewis: Come on now.

Hon. Mr. Davis: —and quality in governmental activity on behalf of its people.

Mr. Lewis: By repeating it, it doesn't happen, my friend.

Mr. Speaker: Order, please.

Hon. Mr. Davis: There is no battle of ideology that burdens this Legislature.

Mr. Lewis: Oh, yes there is.

Hon. Mr. Davis: There is no battle over ideas or principles. Who is kidding one another?

Mr. Lewis: Not at all.

Hon. Mr. Davis: This is a battle purely and simply over responsibility—those who possess it and those who do not. And you know what category you are in. There is a battle over those who would provide monolithic government and insensitive bureaucracy, massive tax-gobbling programmes as answers to all of the problems, even those outside the purview of government—

Interjections.

Mr. Cassidy: That is your record. That is what you've been doing for the last five years.



Mr. Lewis: That is what people think of you now.

Hon. Mr. Davis: —and those who are trying to hold the line and provide greater economic security and stability for Ontario and enhancing the real freedom, in an economic sense, of our citizens.

Interjections.

Hon. Mr. Davis: And you know, in playing a game with our system, and that commenced again yesterday, neither on the left nor on the right, was there a statement of conviction or principle in the total address made yesterday, but purely a whim. It's a party that showed more clearly than ever before that it is a branch plant of a national party with no direction, no dependability and no policy, none whatsoever.

Interjections.

Hon. Mr. Davis: It is a party not only incapable of governing but clearly not even competent in opposition.

Interjections.

Mr. Reid: You must be in worse shape than we thought.

Mr. Lewis: He shouldn't be allowed to.

Mr. Speaker: Order, please.

Hon. Mr. Davis: If we are forced into this unnecessary election, it will be time for the people of Ontario not only to consider the economic choices that are critical to their future but the political choices that would gravely threaten their future. There is one party that is prepared to seek a means of protecting this future, its long-term interest and the freedom of self-respect of its people and do so in this Legislature.

Mr. Lewis: You are more self-righteous than we are.

Mr. Shore: You sound like the Leader of the Opposition more and more.

Hon. Mr. Davis: It is a pleasure for me, Mr. Speaker, in speaking in support of that very excellent address delivered by Her Honour, to lead that party in serving the people of Ontario at a most critical time in our province's history. We are a party and a government—

Mr. Lewis: Good grief!

Hon. Mr. Davis: —that sees an Ontario where self-respect, economic security and

social stability are the heritage and birthright of all, an Ontario where health care, social service and good government are given within a context that is ever-broadening and ever-changing—

Mr. Warner: Look at all the debt.

Hon. Mr. Davis: —an Ontario where the rural life is a life of quality and satisfaction, a reward and satisfaction—

Interjections.

Mr. Cassidy: No jobs too.

Mr. Eaton: You know a lot about rural Ontario. It's pretty obvious over there.

Mr. Speaker: Order, please.

Mr. Eaton: And what are you over there?

An hon. member: Take you out of your hundred acre farm.

Hon. Mr. Davis: —an Ontario where government knows its place and where the average citizen can aspire—

Mr. McNeil: Old MacDonald had a farm.

Mr. Speaker: Order, please.

Hon. Mr. Davis: —to any level of success and achievement, an Ontario undeterred by temporary international economic difficulties and one that is strengthened by our resolve as a society to preserve a bright future for all by making the choices that must be made now.

Mr. Lewis: This is as close to a soap opera as you have come. Good grief, get another speech writer, for heaven's sake.

Hon. Mr. Davis: I don't have eight researchers.

Mr. Cassidy: Just one lyricist.

Hon. Mr. Davis: It is my obligation to urge all members across the House, in spite of those amendments, to support the Speech from the Throne and to reject the amendments offered.

Interjections.

Hon. Mr. Davis: It is a privilege for me to reflect the broad scope of public opinion in this province and urge my fellow members of this House on all sides to support the vote when it takes place on April 5.

Mr. Lewis: That was a most enjoyable speech. Tamer than I expected.

Mr. Renwick moved the adjournment of the debate.

Motion agreed to.

**Clerk of the House:** The 22nd order, House in committee of supply.

SUPPLEMENTARY ESTIMATES,  
MINISTRY OF COMMUNITY  
AND SOCIAL SERVICES

**Mr. Chairman:** Does the hon. minister have an opening statement?

**Hon. Mr. Taylor:** Mr. Chairman, before moving to the first vote, 2602, I would like to point out that in these supplementary estimates this ministry is seeking nearly 36 million additional dollars to the 1975-1976 estimates of \$855,064,000.

Just over \$27 million or three-quarters of that increase is required in support of our income-maintenance programme. The remainder is for the support of our social and institutional services programmes; some \$7 million additional for services to children; and \$1.3 million additional services for adults.

The additional funds requested in the income-maintenance area are largely to cover increases in benefits to recipients affected since the 1975-1976 estimates. An additional \$4.8 million is required to cover the budgets of the Children's Aid Societies—which, after lengthy discussions, were approved at higher levels than were allowed for in the estimates.

The extra \$2.3 million required in day nursery operating funds is due to a greater number of children being subsidized at a higher than anticipated cost. A further \$1.3 million is necessary for homes for the aged, due to higher per diem costs.

I'll ask that we consider vote 2602, item 1.

**Mr. McClellan:** Mr. Chairman, because of the seriousness with which our party views the events that have been taking place, the actions of this ministry during the recess between sessions, I want to perhaps spend a little bit longer than one normally does on the overview.

Let me begin with the overall reduction in expenditures—the level of the restraint programme for this particular ministry, which has been set at eight per cent.

Let me remind the House, Mr. Chairman, that on Dec. 11 the Treasurer of Ontario (Mr. McKeough) said to the Legislature, and I quote: "Welfare spending will be held to the rate of inflation, plus projected growth in caseloads." In fact, while other ministries

have been held to a level of 10 per cent, the Ministry of Community and Social Services has been held to an overall level of eight per cent. In fact, for the majority of social service programming, and for a substantial part of income maintenance programming, the actual level of increase over 1975 is 5.5 per cent.

The explanation offered is that prior capital commitments by this ministry necessitate the lowering of service and income maintenance and transfer payments to 5.5 per cent in order to achieve an eight per cent overall. I really have to question that rationale; these capital commitments. I really seriously wonder, Mr. Chairman, how much of that is, in fact, new money and how much of that money for capital construction is, in fact, recycled from old Tory budgets. I suspect a major portion of the \$18 million committed to capital construction next year is, in fact, recycled from previous budgets. What you are doing is promising the same thing each year—year after year—with the same money, and never do you get around to doing what you said you would do in the budget.

[4:15]

In fact, your budget resembles nothing so much as your campaign promises. You promised in campaigns to do this and do that and you promised in your budgets to do this and to do that and you do nothing. For example, in day care you are spending next year \$6 million in day care capital. The fact is this \$6 million comes out of moneys allocated in 1972—\$10 million then—and moneys allocated in 1974—\$15 million then. You still haven't spent it. It has been in three budgets and it will be carried over to four.

I would ask if I can conclude my remarks; the minister may want to respond but I would like to proceed because of the length of my remarks. Could I just move through and then perhaps the minister could respond? Is that acceptable?

**Hon. Mr. Taylor:** May I say that my friend, the member for Bellwoods is really dealing with the projections for the next budget rather than the current supplementary estimates. When he talks in terms of the additional allotment in the next fiscal year in terms of the eight per cent and how that reflects in terms of the 5½ per cent and the reasons for that, I feel it is more relevant to next year's estimates than the supplementary estimates we are considering today.



I would be delighted, if the Chair wishes, to get into the explanation of the additional moneys my ministry will have in terms of the various social services and the agencies for next year but I hardly think it is relevant in light of the matters for determination today.

**Mr. Lewis:** I would like to speak to the point of order. If that position were to obtain, the entire pattern of the debate that surrounded the Health estimates should have been ruled out of order. As a matter of fact, we spent the Health estimates discussing hospital closings for which not a penny was budgeted in the supplementary estimates.

The reality is that particularly the lead-offs for an estimate—supplementary estimates or major estimates—are always seen as vehicles for major statements which flow naturally from them. I think that that is perfectly consistent with the kind of thing which this Legislature has permitted.

**Mr. Chairman:** It has been traditional, from my observations, that when you bring in a set of estimates the two lead-offs and the minister in his opening remarks can sort of give an overview, having regard for income maintenance, services to children, services to adults. After that is completed you go into an item-by-item consideration of the money to be spent, at which time those speaking can address themselves to those particular items. Unless I get some other direction from the committee, that's how we will continue.

**Hon. Mr. Taylor:** Mr. Chairman, at your pleasure, I am not objecting to what my friend says; if the Chair rules that it is appropriate and in order, of course, by all means. If you wish, and if my friend has made his overview or general remarks, I would be prepared to respond to them. If he wishes to continue, of course, I will defer until he finishes his remarks.

**Mr. Chairman:** I would like to caution the member for Bellwoods that we don't want a full-flowing debate as though we were dealing with a whole—

**Mr. Lewis:** You would never get a debate with that minister.

**Mr. Chairman:** It has been the practice in the past to allow the lead-off speakers of the two opposition parties an overview in keeping with the amount of money and the nature of the expenditure. The minister will have an opportunity to reply.

When we get into an item-by-item consideration of the money being expended, you will have to address yourself to that specific item. Is that agreed?

**Mr. Foulds:** On a point of order, Mr. Chairman, there is no quorum.

Mr. Chairman ordered that the bells be rung for four minutes.

**Mr. Chairman:** The member for Bellwoods may continue, having regard for our understanding earlier.

**Mr. McClellan:** Thank you, Mr. Chairman. I want to continue by looking at the reality of the minister's assertion that it has been necessary to restrain social service expenditures more severely than the restraints imposed on other ministries because of the growth in his ministry over the last five-year period. While it's true there has been growth, it has not been that substantial in relation to gross provincial product or in relation to gross provincial expenditures. A good chunk of your impressive annual growth rate can be accounted for by the transfer of the mental retardation services from the Ministry of Health to your ministry.

I want to point out to the House that our research team, which causes our opposition so much teeth-gnashing, has prepared some interesting material. Using the Statistics Canada definition of social welfare expenditure, which includes items such as workmen's compensation and tax credits as well as income maintenance and child welfare, the five-year average expended as a percentage of total expenditures was computed by us for the 10 provinces. Do you know what place Ontario is in, Mr. Minister? You might guess; I doubt that you would. It's in eighth place, behind New Brunswick, behind Prince Edward Island, behind Newfoundland—

**Hon. Mr. Timbrell:** Look at the unemployment they have there. Of course their expenditures are higher. How ridiculous!

**Mr. McClellan:** The minister had asserted that it was his tremendous growth rate that was the basis for more severe restraints.

**Hon. Mr. Timbrell:** Just look at the other factors.

**Mr. Foulds:** You keep managing the economy your way and we will have employment rates that high.

**Hon. Mr. Timbrell:** I beg your pardon?

**Mr. Foulds:** You heard me.

**Hon. Mr. Timbrell:** No, I didn't. It is probably just as well, it probably was totally irrelevant.

**Mr. McClellan:** The fact is, Mr. Chairman, that community and social service expenditures, as a percentage of the total provincial budget, have remained reasonably constant over the past five-year period and I suspect any increase that has taken place is accounted for, again by the addition of the large mental retardation services expenditures from health to your ministry.

I want to deal as well with the problem of the restraints imposed on capital projects for 1976-1977. I raise this now because there is a shortage of funds for capital projects in this province. Planning for future needs in both the field of day care and the field of senior citizen housing will be placed in a state of limbo by the refusal of this minister to place additional new moneys into capital works for the coming year. There are already 1,400 people on the waiting list for senior citizen housing in Metropolitan Toronto.

Day care in this province is, contrary to the minister's assertion, not adequate. It is not adequate simply in terms of the number of women with children of school and pre-school age who are currently in the labour force. The minister knows that and yet there is going to be no new money. There will be old money spent this year but there is no new money in his capital budget proposals.

The fact is that what we see is a minister who shows monumental incompetence in planning and developing essential facilities to meet present needs and has a chronic inability to translate the money budgeted into brick and mortar day care centres, into brick and mortar houses for senior citizens. Because of this ministry's own incompetence we will have what amounts to a catch-up year in 1976-1977 while the ministry scrambles to deal with the log jam and backlog of capital projects that are already on the board for which commitments have already been made. We will have a year's inactivity in 1976-1977.

What this does to the planning for future needs of this province is rather frightening to contemplate. It means, I suspect, a gap of a year in even conceptualizing and planning for future needs and so the shortages will be with us not just this year but along the pipe in years to come.

I want to comment with some emphasis on what can only be called this minister's welfare-bashing proposals. There is a qualitative difference between the restraints proposed by

the Minister of Health (Mr. F. S. Miller) and the restraints proposed by the Minister of Community and Social Services. At least with the Minister of Health there has been presented a clear rationale, with which we can and have disagreed; but at least a version of reality was presented to us, with documentation which we were then in a position to dispute. Evidence was made available to us with which we could disagree and it then became appropriately placed in the arena of political decision.

[4:30]

This minister has not produced one shred of evidence to detail the necessities of his major changes in the welfare and social service structures of this province. This minister does not appear to deal in the domain of rational thought.

He has been engaged over the last three months in what he calls a dialogue with the social service sector of Ontario. He has met with over 2,000 people, but it is clear that the minister is playing out some murky psychological drama of his own rather than engaging in dialogue.

Let me recount to you the meeting between the social agencies and the minister in Ottawa.

The director of the Children's Aid Society told the minister that budget cuts could mean losing homes now housing 36 emotionally disturbed children. The director of Victorian Order of Nurses said that budget cuts represent 1,500 home visits the nursing service will not be able to provide in 1976. What did the minister reply by way of dialogue and listening? "I am not suggesting that everyone is going to volunteer their services", said Mr. Taylor, recalling that when he was a child his mother followed the neighbourly tradition of delivering soup and doing a little dusting for sick friends.

When presented with the clear and straightforward statement of the consequences of his actions this minister engages in huff-puffery and preposterous nonsequiturs. That has been the pattern of his behaviour since the restraint programme was first announced and it continues to characterize his actions to this day.

I ask again, as my leader asked, where is the evidence of welfare chiselling in Ontario? He told us to talk to the welfare administrators. We did so and they all told us the same thing. In Metro, a person who refuses a job, presumably with good reason, is given a second chance and then the case goes to the board of review. If the refusal is blatant they are cut off the first time;



there are about three or four cases per month out of current caseload of approximately 22,000. "We can't do much tightening up unless we find jobs"; and there aren't that many jobs going.

The Ottawa-Carleton social service administration says if a person refuses a job the welfare office will try to sort out the reason and if it's a lack of boots or hard hats, will try to supply them. People given a second chance for short-term assistance are then pointed toward a job. If they don't accept it, they are cut off. In Ottawa-Carleton the labour market is dry. "It's surprising how many people want work, not welfare."

In Hamilton, one refusal without good reason and you are cut off by the social service officials in that jurisdiction. In January, 1976, Hamilton refused or cut off assistance to about 100 cases of a total caseload of 2,100 employable people on welfare. This is the highest figure mentioned to us. They said they can do very little tightening up over and above what they have been doing all along.

In London people are cut off if they refuse one reasonable job.

In St. Catharines, no second chance is given if a job is refused without good reason. In the case of married men they go on to say there is no point in cutting people off if the family then starves; if the father deserts them the wife and kids become the recipients; or if the father turns to crime. They said very few turned down jobs without cause and they said, "We wouldn't even want to estimate what part of a per cent."

The story is consistent across Ontario. The fact is, the problem is one of jobs. There is no evidence that major changes in the welfare legislation are required to prevent the abuse suggested by the minister. There is no evidence of abuse.

The minister has said that there are teenagers on welfare—I assume in great numbers. Let me tell you what the commissioner of welfare in Metropolitan Toronto had to say about that in the *Toronto Star*, Feb. 18. Mr. Tomlinson said "there are about 500 Metro teenagers now in this category"—that is to say, on general assistance. Then he went on to say he did not think they should be cut off. "We screen them carefully." They will only give them welfare if the choice is between welfare and dropping out of school.

If there is abuse of the welfare system, it must be ended. But the burden of proof is on the minister before he launches a major attack on welfare recipients in this

province; and before he proposes major changes in the legislation in this province.

As for the proposal itself, to the extent that one is able to understand what this most incoherent of ministers is talking about, let us deal with his proposal for "a day in the scrap yards," as he described it in the *Globe and Mail* on March 10. It seems to be a proposal to require welfare recipients to take temporary, seasonal and irregular jobs, or be cut off. It might well be described as a "day in the scrap yards."

In the highest Tory tradition of libertarian concern, this denial of assistance will apply equally to women as to men; and not just to women, but to women with children. Children of what age, you may ask, Mr. Chairman? Again, in the *Globe and Mail*, he said, "older than two but younger than 12."

"No, no," said the Premier the next day in the *Star*, "he couldn't have meant that." So later the minister revises his suggestion and says he meant mothers with dependent teenagers. Well, Mr. Chairman, either he means mothers with little tots, or he means to force teenagers to drop out of school. Let us just put it on the record in the context of that same distasteful announcement; it has to be one of the most insulting slurs on women ever uttered by a minister in this province. He said in the *Globe and Mail* on March 10 that his ministry is promoting work activity programmes to encourage mothers whose children have gone off to school to "get up, to get dressed and be somewhere at a certain time." Apart from the sheer burlesque quality of this minister's announcement, in his brave new egalitarian world, there are some more sober considerations.

How will it work, this "day in the scrap yards"? The general welfare assistance tax-back rates are already 100 per cent. That means if you go to work you get cut off. Would you cut a man off for the sake of two days work in the scrap yards? Will you recalculate his allowance entitlement for each part-time work period? Is that kind of increase in red tape part of your savings programme?

What will you do if a woman, a mother, refuses your offer of a day in the scrap yards? Will you cut her off and let her children starve? Will you take her children into public custody? Are you really prepared to force teenagers to drop out of school for a day in the scrap yards?

Somebody was muttering about the NDP and welfare. Let me quote from an article

by Ronald Anderson in the business section of the *Toronto Globe and Mail*, normally not a hot bed of socialist thought.

**Mr. Mackenzie:** As long as it is not too complicated.

**Mr. McClellan:** Well, I can't make the guarantee that it is not too complicated for the minister. I want to read it because we agree with it. Mr. Anderson said:

It is entirely reasonable to expect all those who are able to work to support themselves and their dependents when work is available to them. But to demand that they take the first job offered is too arbitrary. It eliminates freedom of choice for the individual and potentially places employers in a position to exploit unskilled workers who will be forced by the government to take any job, however dirty, dangerous or physically exhausting it may be.

If the government insists on maintaining the work or starve ethic, it could at least allow some degree of freedom of choice. Benefits could be cut off, for example, if welfare recipients refused the first two or three jobs offered by Canada Manpower. That in fact, of course, is the current policy throughout the province. Any able-bodied person who simply refuses to work out of sheer laziness deserves little sympathy, although his wife and children may. [And of course we agree with that.]

The Ontario government intends to apply the new rules to both men and women, even mothers of small children. This is surely one of the most distasteful measures proposed by any government in Canada for many years.

The long and short of it is that the minister's proposal is simply a hoax. The problem in this province is not welfare abuse. The problem is jobs and the issue is jobs. The failure of your government is its failure to create jobs; and the failure of your ministry is its failure to help people on welfare return to productive employment, because you've always run the welfare department as a pay wicket, as a money shop rather than as a rehabilitation service.

There's always been an absence of any serious commitment to job counselling, job training, job placement, job readiness or job creation. You pay lip-service to work and to the work ethic, but in fact you are the real destroyers of the work ethic in Ontario, with your money-shop welfare system, now with a few welfare-bashing additions, and with your positive enthusiasm for a fiscal

attack on Ontario's debt crisis which raises the level of unemployment.

You really prefer unemployment and swollen welfare rolls to tackling the hard business of making jobs and the hard business of facilitating re-entry into the work force and into productive employment. You prefer swollen welfare rolls to the creative use of public sector employment for the disadvantaged. You prefer to run the welfare office as a pay wicket instead of running a welfare office with a focus on rehabilitation.

Your office lacks, in fact, the basic data to plan a re-employment strategy. When we began to compile our statistical material, we found to our amazement that all you have is raw numbers of welfare recipients. You have no data at all on educational training levels, on work skills, on work records, on work experience. Without that data, it is utterly impossible to develop serious programmes to facilitate re-entry into the work force. Even the data you have are utterly ludicrous. The March registration shows 565 employables on general welfare assistance because of their inability to find employment. It also shows 79 employables who suffer permanent ill health.

If you really believe in work instead of welfare, you would not be forcing cutbacks in work activity projects. Our leader yesterday demonstrated, and I believe he gave a cost-benefit example of, work activity; and yet your Jan. 28 policy of restraint announced: "No new work activity projects can be approved. Current projects will be held to a 5½ per cent increase. Renewals will be scrutinized for efficiency and effectiveness."

In Toronto that has meant the work activity programme of Metropolitan Toronto—which I believe our leader used as his cost-benefit illustration—that excellent project will be cut back in the amount of \$50,000.

In Thunder Bay—I'm going to read this because this is interesting; this is from a report of the commissioner of social services in Thunder Bay to his council:

One of the most critical areas of cutbacks is that of the work activity programme in which it appears that we could suffer because of the very deliberate process on our part to ensure that the project was researched and planned properly before being initiated. We were recently visited by the top federal authority on work activity, who made the statement in which he said he felt this project was the best-planned programme in the whole of Canada. But now it is endangered because we did not, like many other centres, jump into a project



without doing a great deal of detailed planning beforehand.

[4:45]

Wonderful. The YWCA in Metropolitan Toronto has a programme called "Focuses on Change" which appears to help women develop job readiness skills and move into job training preparatory to employment. We have a cost-benefit analysis of that particular project that shows that .5 family benefit recipients a year moving successfully through the programme are sufficient to recover the entire costs of the programme and yet they have difficulty in getting serious and stable funding from your ministry.

Vocational rehab services has been cut back. You won't allow us to use the word "cutback" but when we have double-digit inflation and you allow 5.5 per cent increases, that is a cutback. Vocational rehab was cut back in your statement of Jan. 28.

The Minister of Labour (B. Stephenson) indicated, in an answer to a question, that you were prepared to move into community employment strategy but it is my understanding—I hope I'm wrong—that not a single area in Ontario has been designated as a community employment strategy area. I don't think I am wrong. I don't think you have the slightest commitment to create a public sector employment or to community employment strategies in general. Frankly I think you prefer high unemployment.

A project called the human services community, funded by your ministry for three years, which proved through its own effective programme that it was possible to move people on welfare back into productive employment, is now being allowed to die now that its three-year pilot programme grant has expired.

The real problem is that you've always used labour as a factor of production to be used, dropped or discarded. You don't have the slightest concept of labour as a human resource that has to be planned for and developed and this is implicit again in what you're proposing now. I might remind you of your own commissioned report, the Swadron report, I believe in 1971. It reminded you again that:

The hard facts are, however, that most of our manpower policies and programmes are aimed at those most likely to succeed. Little action has been taken to serve the needs of the more difficult to help. Our preoccupation has been with meeting the needs of industry in a truly economic sense. Industry, at least in Canada it seems, has not responded to the needs of the disadvantaged.

More enlightened economic planning and employment industrial development policies, whether manpower and employment forecasting or closer integration of our educational training systems to meet future manpower requirements, are essential but they are not enough.

Without specific programmes to fulfil the needs of those who cannot otherwise compete, we shall continue to have a growing minority of disadvantaged persons alienated from the rest of society in thought and in action, unable to enjoy its benefits, relying on the indignity of handouts and becoming increasingly contemptuous and hostile towards a system which rejects their humanity and is oblivious to their fate.

In December, 1974, your Ministry of Labour completed a study as follows:

The most pressing need is for improvements in the way we develop and utilize Ontario's human resources, particularly those of youth, women, and minorities. Both employers and the education and training systems must be guided by longer-term considerations in their planning for manpower development. We must do a lot better job of facilitating entry into satisfactory employment for youth, women and minorities.

Facilitating entry into employment does not mean kicking people who are already down. It just doesn't mean that.

Mr. Warner: He doesn't care.

Mr. McClellan: For the one-third of general welfare assistance recipients, some 22,000 people, who are on welfare because of their inability to obtain employment—because they can't get jobs—what's needed is a serious commitment to job creation through a manpower policy which focuses on a full utilization of our human resources in an array of programmes to facilitate re-entry into the labour force. Of the two-thirds of social assistance recipients who are there by virtue of long-term need, for whom it is impossible to return to work and for whom you now provide a form of guaranteed annual poverty, what is simply demanded is justice.

Because of the shortage of time, I am going to shorten my remarks on income security and the minister's disastrous welfare policies, and have a look at an even more serious area—in many respects—than that of social services.

As in the field of social assistance, the provision of social services in this province takes place within an almost complete policy



vacuum. The management and administrative processes and procedures are hopelessly old-fashioned and inadequate.

I think our leader said you probably know more about roads than you know about the people on your social assistance rolls and I think that's true. I shudder to think what would happen if you ran the Ministry of Transportation and Communications the way you run your own ministry. I suspect we would have bridges adjacent to roadways in farmers' fields and paved shoulders and gravel median lines.

Social services in this province are characterized by almost total fragmentation; duplication—duplication within the context of critical gaps; monumental difficulty of access and confusion around entitlements for clients; income maintenance workers provide counselling; counselling agencies provide financial support. A morass is competing—centralized funding authority makes the orderly planning and development of services for human need almost impossible.

**Mr. Warner:** You are offering it only because you have to, not because you want to.

**Mr. McClellan:** I suspect that one of the reasons you have got yourself into such an incredible mess with the Children's Aid Societies is the inadequacy of your management systems. You simply don't know, despite having a \$1 billion budget, what it is you are buying or what it is you are paying for. You are still not on a uniform system of programmed budgeting across this province.

The effect of your restraint programme is to delay further the introduction of programmed budgeting to the Children's Aid Societies. You can't tell me what your unit costs are. You can't tell me, with the kind of specific detail that, for instance, the Ministry of Health is able to provide, what your dollars are going toward—when you make cuts, your cuts are as random as your expenditures.

You don't know what you are cutting. We will tell you what you are cutting. I gather you are starting to catch on but we will give you some more material.

The second really critical failure in your ministry, aside from its traditional management difficulties and, I suppose, the prior problem of just sheer indifference, is the absence of a coherent policy framework. For us, it would simply be prevention; for you, it remains as it always has over the last 10 to 15 years—an approach of crisis intervention, of Band-Aid patch-up once family breakdown has already occurred.

You still have not implemented the preventive clauses of the 1965 Child Welfare Act. You still have not provided sufficient funds for preventive services in this province. Your ministry still discourages the development of preventive social services in Ontario. I want to describe the social service crisis that this minister has created. It is a crisis of major proportion.

The Treasurer of Ontario, speaking in the Legislature, on Dec. 18, again on his restraint programme, said:

Despite the dire need for restraint by all sectors of the economy in these uncertain times we cannot expect disproportionately greater sacrifices from our elderly citizens. We must endeavour to shelter them to the best of our capacity from the rough and necessary justice of Canada's anti-inflation measures.

How you shelter them! You are bringing in restraints that require the cutback of staff in senior citizens' homes. For example in the Premier's own riding six staff in the Peel municipal homes have already been cut. You propose to confiscate comfort allowances; you cut action age grants.

You reduce the effective level of funding for elderly persons' centres, funding which is already inadequate, funding which already is complicated by a basic inadequacy of the legislation to provide funds for the kinds of services for senior citizens that are needed. Rate increases for seniors in institutions will be passed on to them. There is a freeze on capital construction of new senior citizens' homes. As I said before, 1,400 sit already on the waiting list for accommodation in Metropolitan Toronto. That is how you shelter the senior citizens of this province from the rough and ready justice of your restraint programme.

Family service associations are in an equally invidious situation. In Toronto there are four major family service associations which serve to provide counselling for families and individuals in this metropolitan area, Huntley Youth Services, Catholic Family Service Association, Family Services Association, Jewish Family and Child Service. These agencies are currently facing a total projected deficit of \$506,250. If this deficit is allowed to stand, then these agencies will have to cut 23 staff with the result that some 840 families a month will be denied service as well. They will have to close either Illahee Lodge, the camp for medically handicapped kids, or they will have to reduce the number of places at Bolton Camp from 2,250 to 1,800. They have appealed to your ministry for help, and to my knowledge no help has been forthcoming.



Within the context of the closing of hospitals and the elimination of bed space, one would expect a rational government to plan for the expansion of visiting homemaker services as one of the forms of alternate health care. That is a service whose funding is the responsibility of this ministry.

[5:00]

Let me read to you in some detail what is happening to the Visiting Homemakers Association here in Toronto. The president of the board writes:

During 1965 we provided 260,000 hours of homemaker service in 1,773 households, involving personal care to 1,258 elderly, handicapped and convalescent adults and 2,854 children, many of whom were physically and/or mentally retarded.

For the first time since the depression years of the 1930s, recruiting eased significantly in 1975 and we were able to increase our homemaker staff 18 per cent by year-end. Service in the fourth quarter was 16.7 per cent higher than in the last three months. Service is currently being provided at a level of 25,000 hours per month, compared with 21,000 in January, 1975.

They go on to say they anticipate a cutback of 20 per cent, which could completely wipe out the gains that they had managed to make in 1975. These are their projections of the effect of this projected 20 per cent cutback:

To the elderly or handicapped adult, a cut of 1,900 hours a month to at least 50 individuals and a reduction in service to an additional 20 or 30 homes.

I'm sorry, I should add that their estimate is that an additional 50 or 60 elderly people in 1976 who are refused service as a consequence of cutbacks, and who could have been socially maintained at home with part-time service, will be admitted to nursing homes or hospitals. What a marvellous restraint programme this is.

Families with dependent children: A 20 per cent cutback from present service levels is equivalent to 2,294 hours of service to 40 families each month. Even at present levels of service, we have to turn down 15 to 20 urgent applications each week during the peak period of mid-October through May.

The results of the cutbacks and denials of service: Increase admission of children to Children's Aid Society care; sole-support or breadwinner father losing time for work with lost income, and more critically, putting their jobs in jeopardy; postponing

needed medical care for mothers; delaying convalescence; impairing health of mothers. In some situations, lack of needed help or enough help will result in hospital re-admission, particularly to mental hospitals, and to the placement of children in care. There will be placement of severely handicapped children in institutions because some families cannot cope with the excessive care demands of such children without support and relief.

What you are doing is cutting precisely those programmes that serve to strengthen families, to prevent their breakdown, to prevent them coming into care at double or triple the cost, to prevent them from ending up in later years on the welfare roll or in mental institutions, or in jail—at double, triple or quadruple the cost. It's precisely the kind of programming that is being most severely hit by your mindless austerity programme; by your shifting of the burden of paying for service to municipalities and to the property tax in an election year. That's the consequence of what you're doing.

In the field of mental retardation, we're supposed to be in the midst of a massive programme to transfer care of the mentally retarded from institutions to a community-based care system. What is happening here is simply grotesque.

Instead of providing the promised community resource centres for the mentally retarded, the minister is using his massive amounts of federal assistance money to create a new set of smaller institutions around Ontario. Burwash penal institution is now called a residence for the mentally retarded. Northeastern Psychiatric Hospital is now called a community resource centre; as is Goderich Psychiatric Hospital.

The promised partnership between the ministry and the various district work groups and co-ordinating committees has been totally subverted by this ministry. Perhaps the most tragic irony of all is the 5.5 per cent ceilings on agencies and programmes means that none of the social agencies within the province have the resources to meet their new responsibilities to provide backup support to this new community-based care system. Not only can they not meet new and additional responsibility, they cannot even maintain the present level of service for the mentally retarded.

Let me turn now to what I am afraid is the most critical area, that of child welfare, and this will be the final section of my introductory remarks.

It is not unfair to say that this minister has brought this province to the verge of a child welfare catastrophe. Your intransigent stand—the minister smiles and chuckles; maybe the minister won't smile and chuckle—

**Mr. Warner:** He enjoys disasters.

**Mr. McClellan:** —when the consequences of his irresponsibility start to come home to roost. Your intransigent stand on the 5.5 per cent increased ceiling is simply beyond description. Ontario's largest Children's Aid Society, the Children's Aid Society of Metropolitan Toronto, I gather has finally been given a reprieve from the death sentence which you yourself issued to it, although we have not yet seen the details. This society accounts for 30 per cent of your ministry's budget. Its position is the most critical, but is by no means unique.

Fully one-half of the 50 Children's Aid Societies in Ontario cannot meet the 5.5 per cent ceiling, and I am going to list the ones that we have talked to that are in serious difficulty as a result of your restraint: Thunder Bay, Lambton county, Kingston, Durham, Elgin, Essex, Hamilton, Brant, Lanark, Niagara, Northumberland, Ottawa, Peel, Prescott-Russell, Porcupine, Rainy River, Renfrew, Simcoe, Stormont, Sudbury, Kirkland Lake, Kitchener-Waterloo, Wellington, Metropolitan Toronto CAS, Kenora, Kapuskasing. This ministry is in the process of utterly destroying the child welfare service that has grown up in Ontario over the last 50 years.

**Mr. Warner:** They had to threaten to resign in order to get some response.

**Mr. McClellan:** As my colleague has said, only the threat of resignation has appeared to bring this minister to his senses. I am not sure that it has.

The 5.5 per cent allowable increase over 1975 levels does not even appear to cover the rollover increase from 1975 ministry-approved budgets for a substantial number of societies, and I want to explain these rollover costs to the House.

Since 1968, the ministry has been requiring societies to delay and refrain from implementing budget changes, new programmes, until July of the current fiscal year. So as a result the actual budget for that past year has only enough funds for six months' operation of new programmes, and rollover is the extra six-month cost which has to be approved the following year to cover a full 12-month period.

The ministry, in 1975, approved society budgets at six-month levels which it knew could not be run on a 12-month basis at a 5.5 per cent increase. The ministry knew that so well before the 5.5 per cent ceiling was increased, and the degree of duplicity and perfidiousness of that kind of behaviour simply can't be tolerated in this province when we are dealing with the lives and welfare of the most disadvantaged and needy children in our society.

**Mr. Warner:** You don't care, that is the worst of it all.

**Mr. McClellan:** Let's look in some detail at the effects of this minister's handiwork. The Kapuskasing Children's Aid Society has responsibility for children living within a 100,000-square mile territory. Presently there are 13 social workers, five group home workers, and four administrative people and clerical people on staff. The average case-load ratio is 35 to one. In 1975-1976, the budget of the society was \$654,455.

Due to the fact that they ran a deficit of 2.6 per cent in 1975-1976, the 5.5 per cent increase for the 1976-1977 fiscal year means 2.9 per cent for them, or \$671,474. They have asked for a 30 per cent increase which, if you include the deficit, means a 1976-1977 budget of \$848,000. The reason that they ran a deficit in 1975-1976 was because of an increase of children in care.

To fit within the 5.5 per cent guideline or 2.9 per cent as it really is, the Kapuskasing Children's Aid Society would have to forego staff salary increases—but I suppose nearly all societies are doing that. They would have to reduce their staff by 6½ positions. There would be no increase in foster parents. They would have to drop their regular service, of having a worker on call 24 hours a day. They would have to drop a planned group home for the treatment of adolescents; they are presently sending kids to North Bay. They would have to drop their summer camp programme. And they would have to drop all preventive programmes.

The director wonders how bad a service has to get before it is in fact a waste of money.

The Sudbury Children's Aid Society may be dealt with by my colleague. The Kenora Children's Aid Society was dealt with, I believe, by our leader the other day. I just want to remind you again that the three group homes that they opened last year, with your approval, would have to be closed this year at your insistence. They would have to fire five staff—



**Mr. Foulds:** Weren't those the ones that the Minister of Natural Resources (Mr. Bernier) opened with a big show?

**Mr. McClellan:** Maybe the Minister of Natural Resources can preside over the closing of the three group homes in 1976-1977.

They would have to dismiss five staff, close two full-time and two part-time offices and decrease foster home payments for those salary staff increases. This is the Children's Aid Society that probably has the most difficult caseload in all of Ontario, as the minister well knows; and yet the minister tells them to accept the 5.5 per cent increase that will cut their programme to ribbons.

The Children's Aid Society of Ottawa will be in the position, with the 5.5 per cent increase, of being in debt by \$1.25 million for 1976-1977. The minimum they need to continue functioning is a 20 per cent increase. Since your freeze, they have already closed three group homes. Fifty kids are already on the waiting list for group homes or institutions. At 5.5 per cent they would have to close six group homes and fire 75 people.

My colleague from Thunder Bay will tell you about the society there.

In the Children's Aid Society in Lambton county, to reach a five per cent increase over the 1975 approved estimate level, there are only two cost areas which could be cut—children in care and staff.

To attain the necessary further savings of \$63,000, we would have to discharge at least 31 of our current children in care for a full six-month period. That is in excess of one-quarter of our current child care caseload and is only possible by blatant refusal of service. The alternative is staff cuts in an already understaffed agency. We have only two supervisors to oversee 16 social workers, so no adjustment could be made at middle management level. At the level of line staff, it would require the immediate release of one-quarter of current complement to effect the necessary saving. Since most of our staff are still generalists, this would drastically curtail all areas of service.

If we are to be required to reduce this budget further, we would appreciate your informing us in what areas this must be done and assuming the resultant responsibility for lack of service.

Your actions have simply made it impossible for child welfare movement in this province to continue to perform its responsibilities un-

der the Child Welfare Act. More than one society has asked us: "How can the minister so violate the law?"

[5:15]

**Mr. Warner:** Have you an answer?

**Mr. McClellan:** I could go on and on. I could possibly go on for a couple of days—

**Mr. Warner:** It might be worthwhile.

**Mr. McClellan:**—giving in more and more minute detail chapter and verse of the duplicity, the perfidy and the irresponsibility of this ministry.

I want to review again the situation of the Children's Aid Society of Metropolitan Toronto. The leader of this party has pointed out the way in which you tried to euchre them out of the difference between 3.1 per cent and 5.5 per cent. It's utterly inexplicable behaviour.

When on Jan. 15, president of the board of the Metro Children's Aid Society wrote to you a heartfelt letter of concern detailing what would happen to child welfare services in Metropolitan Toronto if they were frozen at 3.1 per cent, you replied with an attack on the society. On Jan. 15 you were advised by the president of the Metro CAS just what your ceiling meant.

I'm taking this out of the letter of Jan. 15. You had the information fully two months ago. Their bank overdraft situation would increase to \$47,000. They would have to bring an end to their introduction of programmed budgeting. They would have to freeze salaries. They would have to freeze foster care rates. They would have to freeze group care facilities. They would have to close admissions. They would have to reduce the volume of children in care by 20 per cent of the Jan. 1 level.

They would have to fire 90 staff and that, again, is because of the rollover. They were not approved in their budget until late in the year. They did not hire until October, I believe, for the programme expansion, and the effect of your ceiling would be to knock them back to the pre-1975 levels.

They concluded that they were simply unable, and would be unable, to perform their responsibilities under your Child Welfare Act. It took the threat of their resignation as a board to bring you to some kind of sense.

We still are not sure of the details. I just hope and pray, for the sake of the children in this city, that you have been brought to a mature and rational decision—but your initial

response was to attack the Children's Aid Society.

**Mr. Warner:** Who forced you to do that? Have you no explanation? Do you really like children?

**Mr. McClellan:** You claimed they were in some sense less efficient than other societies, using dummy census statistics to prove that their ratios were higher than the CCAS. You held up to them the example of the Catholic Children's Aid Society "as proof that societies could live within the guidelines very comfortably." I think that's a direct quote.

Unfortunately for you, the Catholic Children's Aid Society of Metropolitan Toronto overspent its budget in 1975 by 5.5 per cent.

One of the most amazing of this minister's statements and, I think, the statement that most clearly proves his incapacity to serve in the office he holds, is his statement that child foster care must be developed and expanded as an alternative to institutional residential care.

**Mr. Martel:** Strengthen the home.

**Mr. McClellan:** That statement is just so bizarre as to be beyond belief. Yet I assume that since the minister says it over and over again it's to be taken as the policy of the ministry.

All of the agency material that we've seen has the same thing in common, that foster rates are frozen and that they are going to experience difficulties in getting and even holding the line in existing foster care. Nevertheless, the minister is saying that it's going to be expanded at the same time, perhaps concurrently.

But that's not the point; the point is that you say it's an alternative to residential care. Residential care can be provided and is provided to children by Children's Aid Societies because of emotional disturbance. New treatment facilities can and have been provided by many societies as a desirable alternative for disturbed children, but the ministry has in fact been discouraging and even criticizing some societies for doing this.

To suggest, as you have done repeatedly, that unpaid, untrained foster parents can even cope, let alone help, the very disturbed kids, displays an ignorance and indifference to children in public care which is totally unfitting to the minister responsible.

Let me give you some cases from a large society; it illustrates the point that I'm trying to make.

Male, aged three and a half, admitted to Children's Aid Society early 1976; epileptic, suffers prolonged grand mal seizures. Shortly before admission he had been in HSC with encephalitis and was at the time of admission on an untested regime of medication. It was felt that the combination of medication was actually stimulating and provoking convulsions. A few days after his admission, he was suffering such acute and prolonged convulsions that he spent five days in North York General Hospital. Prior to admission he was so hyperactive as to be a real danger to himself and he was restrained by being tied in his crib. In his frequent stays in hospital, his limbs were splinted to prevent his injuring others or himself. The report says: "In the opinion of the doctors involved, what he needs is custodial care in a medical setting which we have so far not been able to obtain."

Male, aged 13½ years, admitted to a Children's Aid Society care as emergency in May, 1975 after physically and violently attacking his mother. Angry, extremely disturbed, violent adolescent; self-destructive, threatened suicide frequently, attempted it twice. He was in York Cottage for 19 days, during which time we tried every way we could to get him admitted to an appropriate resort. He was admitted here on the understanding that he was scheduled for admission to Lakeshore. This, however, turned out to be false. Finally, he was admitted to Whitby at the end of May, 1975.

Male, aged 15 years, ward of CAS. He was living in a Browndale camp until he was finally asked to leave for fear the whole group home would disintegrate. He's aggressive, violent and threatening. He has problems communicating with adults and difficulties working with his peers. It is felt that he can't live in a family setting. Finally he was moved into an outside institution where he is making some progress. He has a limited intelligence, an IQ around 83.

Male, aged 11 years. He was first placed with Metro CAS when he was very young. His mother is emotionally ill, a chronic alcoholic and was unable to manage the care of him. He was placed in a specialized foster home but had to be moved to an outside institution. He's impulsive, destructive, autistic; a fearful child who needs structure and affection but has difficulty accepting parenting. He is of above average intelligence, can add and subtract.

There's no place for him and no place for the other kids on my list; and this minister suggests, in the face of everything that we



know about need in this province, that foster homes represent an alternative.

The Children's Aid Society, in the same letter where they detailed to the minister the consequences of the 3.1 per cent ceiling, also indicated that the patterns of kids coming into society care have changed; that they are getting more and more kids with more severe disturbance and less and less of the kinds of kids who can be handled easily and without difficulty in foster care. Yet the minister goes on saying, despite the fact that is the pattern right across the province, that foster care is an alternative to residential treatment. It is simple nonsense. It is as nonsensical as the whole of this minister's package, his welfare measures, his whole restraint programme.

It is clear only to us in this party that this minister is unfit to be entrusted with the lives and welfare of Ontario children, and it is clear only to us in this party that to avert a child welfare tragedy of major dimensions the Premier (Mr. Davis) must replace the Minister of Community and Social Services without delay.

**Hon. Mr. Taylor:** May I respond to those opening remarks, Mr. Chairman, prior to dealing with subsequent remarks that may be made?

**Mr. Cassidy:** No.

**Mr. Martel:** That's not usual.

**Mr. Chairman:** The normal procedure has been for—

**Hon. Mr. Taylor:** Well it's usual. It has been done before, and while this is fresh in members minds, I would like the opportunity. I think it would be in order.

**Mr. Chairman:** The Chair has no objections.

**Mr. Foulds:** The other members, unlike you, have.

**Mr. Chairman:** I think the hon. member for St. George (Mrs. Campbell) is indicating that she gave her consent to the minister to answer these questions, and then he will answer yours on your leadoff speech. Is that correct?

**Mrs. Campbell:** Mr. Chairman, I am in your hands. It has, in fact, been dealt with that way before and I have no objection, providing I sometime get the opportunity to open for the Liberal caucus in this matter.

**Mr. Chairman:** I think we could do whichever will be the most expedient to hear the estimates. If the minister is going to be fairly

brief in answering, why then we'll listen to the member for St. George.

**Hon. Mr. Taylor:** I am sorry, Mr. Chairman, I cannot hear you.

**Mr. Chairman:** I would say that if the member is going to be fairly brief, then we will deal with the member for St. George following your comments.

**Hon. Mr. Taylor:** Thank you, Mr. Chairman. May I say that the linguistic extravagance of the member for Bellwoods is absolutely amazing. Not only that, if he manifests his knowledge of this ministry through his observations and critique, I question whether he is fit to be the opposition critic.

May I say that here we have supplementary estimates introduced into this House which request an additional \$36 million of spending to assist the very agencies and to address and service the very concerns the member has enunciated. If his thinking carries forward what he has said in terms of words, then I am sure I won't have any difficulty with the supplementary estimates, because I am here, of course, to ask for additional funding to address some of the problems you may have alluded to, although incorrectly.

You started off in terms of criticizing the amount of money my ministry has been allocated in terms of overall spending for the next fiscal year. I pointed out that in my estimation it's not relevant to the supplementary estimates to be involved in the estimates or projected estimates for next year, because they are not before the House.

[5:30]

However, may I say that in reference to the criticism of the eight per cent and the questioning of the 5½ per cent which will be an increase for most agencies in the province and in reply to the—

**Mr. Cassidy:** Not in real terms it isn't.

**Hon. Mr. Taylor:** —suggestion that there will be no new growth, I would like to make a few remarks.

First of all, I have indicated that there will be additional capital expenditures in areas such as day care. And in that regard I have already indicated to this House—

**Mr. McClellan:** Point of order, Mr. Chairman.

**Mr. Chairman:** The hon. member has a point of order.

Interjections.

**Mr. McClellan:** Are we free to interject—  
Interjections.

**Mr. Sargent:** Anything you want.

**Hon. Mr. Taylor:** I was quiet while you made your remarks.

**Mr. McClellan:** I want to challenge that. That is not new money.

**Mr. Chairman:** Order, please.

**Mr. McClellan:** It is not new money.

**Mr. Chairman:** Order, please. You can raise that on subsequent comments.

**Mr. Sargent:** Please be seated, Jim. Please be seated.

**Mr. Chairman:** I think the minister should continue to acknowledge or answer the comments without getting into a debate back and forth.

**Hon. Mr. Taylor:** Mr. Chairman, I am addressing the remarks that my friend made—

**Mr. Foulds:** The minister should continue his apology.

**Mr. Chairman:** Order, please.

**Mr. Bullbrook:** He is being like the Premier, he is not provocative, Mr. Chairman.

**Hon. Mr. Taylor:** In regard to additional capital moneys, may I repeat that in the field of day care alone there will be approximately \$6 million of capital funding—

**Mr. McClelland:** It is old money.

**Mrs. Campbell:** It is not new, it's not new.

**Hon. Mr. Taylor:** All right. You can say it is not new but there will be new capital—

**Mr. Cassidy:** Redistributed, recycled.

**Mr. Foulds:** What are you, a Social Crediter?

**Hon. Mr. Taylor:** —for construction in day care in this province. As a matter of fact, earlier this week I opened a new daycare centre in the member for Bellwoods' own riding and your absence, I may say, was conspicuous.

**Mr. McClellan:** On a point of order, I was given the wrong day by your ministry.

**Hon. Mr. Taylor:** Well, in any event, I am just saying that a new daycare centre is there.

**Mr. Foulds:** You can't even get your dates right.

**Mr. Cassidy:** A Conservative plot.

**Hon. Mr. Taylor:** When you look at the estimates that we will be considering, and hopefully are considering, you will see that additional moneys are required. As a matter of fact, there is \$2.3 million for operating expenses this year for day care, so that the operating expenses for day care in the current fiscal year are something in excess of \$27 million.

With the new capital construction in the next fiscal year we have to provide, by necessity, operating moneys for those daycare centres. I think it is ludicrous to suggest that not be provided. If we have to allocate moneys for those capital programmes, then of course it must of necessity be taken from the overall funding that will be given to my ministry in the next fiscal year.

A similar situation exists in terms of homes for the aged. Of course it will be necessary to allocate operating moneys for those new homes for the aged and the additions that will take place in the next fiscal year; and by necessity that must come from the overall funding that will be allotted to my ministry, which reduces the amount available for distribution to most agencies to the amount of 5½ per cent.

**Mr. Cassidy:** Will the municipalities get those extra operating costs? Will they get those extra operating funds?

**Hon. Mr. Taylor:** The hon. member for Bellwoods has made mention of the growth of my ministry over the past five years and I would like to say that the average annual rate of growth has been 20 per cent. That is 20 per cent increase in spending over the past five years and I may say that that takes into consideration the actual programmes that are now operated by my ministry, and the transfer of the mental retardation services from Health to my ministry.

**Mr. McClellan:** That's just a reflection of the increase in growth of revenues.

**Hon. Mr. Taylor:** It is something I know that you have been saying, but we took the cost while it was in Health and we take the cost while it is now in my ministry.

**Mr. McClellan:** The percentage is constant.

**Hon. Mr. Rhodes:** It's a conflict of interest. You are a social worker. He is trying to keep his job for after next month. He wants to make sure he has a job to go back to!



**Hon. Mr. Taylor:** You will see that the growth rate has in fact been tremendous; the effective annual increase has been 20 per cent.

**Hon. Mr. Rhodes:** Why doesn't the member make sure he's got a job to go back to after the next time out?

**Mr. Chairman:** Order, please.

**Hon. Mr. Taylor:** It's all very well for the member for Bellwoods to refer to Ontario's position in Canada in terms of welfare spending, but I challenge him to travel this country, to talk with the welfare ministers of Canada and to examine the programmes of the other provinces. If he does, he will find—and he should know this, because he has spent all of his mature life as a social worker, including a stint in my ministry—

**Mr. Foulds:** Not while it was your ministry.

**Hon. Mr. Taylor:** —he will find that Ontario has the finest programme of any jurisdiction in North America, let alone Canada. There is just no question about that.

**Mr. Martel:** Who are you trying to kid? You have been behind the eight-ball from time immemorial.

**Mr. Chairman:** Order, please. The hon. minister was attentive when the previous speaker was addressing the committee and I feel that the committee has to give him the same type of consideration. The hon. minister will continue.

Interjection.

**Mr. Chairman:** Order.

**Hon. Mr. Taylor:** The member for Bellwoods criticized my ministry for a lack of senior citizens' housing, and may I advise him that senior citizens' housing does not come within the jurisdiction of my ministry.

Reference was made on several occasions to the Children's Aid Societies and various programmes that were and are being undertaken by them. Before dealing with that, I would like to make mention of the criticism he has levelled in terms of tightening up the welfare system in this province.

Again, may I say that the member's remarks, in my estimation, not only today but in certain radio broadcasting that he has made, are not only inaccurate but misleading if innocently so. It may be lack of understanding and knowledge of what we are trying to do and what in fact we are doing that leads him to state that—

**Hon. Mr. Rhodes:** The minister is right; you don't understand.

**Hon. Mr. Taylor:** I am quoting now from a broadcast: "Yeah, they are cutting out again the kinds of programmes that are designed to keep families from falling apart in the first place—and that means homemakers' services."

Some hon. members: Right on!

**Hon. Mr. Taylor:** "Cutting out." You say it's homemakers' services they are cutting out; actually it's the marriage counselling parts of the programme that are being cut out.

**Mr. Foulds:** That's right.

**Mr. Martel:** They can't even hire them in Sudbury; there's not enough money to hire one.

**Hon. Mr. Taylor:** "Ah, group homes for mothers"—and I put that "ah" in there because I am quoting accurately.

**Mr. Foulds:** For a change!

**Hon. Mr. Taylor:** "Ah, group homes for mothers, to help them to be more effective in raising their own kids, are going to be cut out."

You might have—well, you know, it just goes right down across the board.

Then you go on to say: "I have always been frankly fairly critical of the social services delivery system. And I—but, you know, when it's being absolutely gutted and destroyed, one has to point out what is being done."

Now that is an exaggeration, that the social service system is being absolutely gutted and destroyed. You know and I know that the amount of government spending for welfare in this province is approaching \$1 billion; and we are here today to seek approval of this House for an additional \$36 million. To say that these programmes are being cut out is just sheer nonsense.

**Mr. McClellan:** You should hear what other people say about you if you think I am being critical.

**Hon. Mr. Taylor:** You know and I know that a good many of these programmes are administered by the municipalities through purchase-of-service agreements. You also know that a good many of these programmes are operated through the Children's Aid Societies, and you know and I know how those are funded by this province and by

the local municipality. So to say that those programmes are being gutted and destroyed is not only inaccurate, but it's untrue.

**Hon. Mr. Rhodes:** Right on!

**Mr. Martel:** You should hear what Reuben Bates is saying about you.

**Mr. Cassidy:** You should see what the Children's Aid board say about you fellows—and they are all Conservatives too.

**Hon. Mr. Taylor:** Well, I will get on to the response in connection with the Children's Aid Societies in a few moments.

**Mr. McClellan:** You'd better stop him; I'm serious. You'd better watch what he is doing.

**Hon. Mr. Rhodes:** He's putting you out of work, and you are worried about it.

**Mr. Cassidy:** You are offending the sector of people that used to support you.

**Hon. Mr. Taylor:** I just want to reiterate that when we're talking in terms of tightening up the welfare system and eliminating certain provisions which are discriminatory on the basis of sex, it does not attempt to do the types of things you have so erroneously stated.

At present, for example, as you know, an able-bodied wife of an unemployed person is not required to seek employment even though she is both capable of working and has no child-rearing responsibilities.

**Mr. McClellan:** Why don't you make that simple statement?

**Hon. Mr. Taylor:** It's that type of a situation that we're trying to address. Of course, you don't agree with that.

**Mr. Foulds:** You might create some jobs.

**Mr. McClellan:** Just tell us about the jobs.

**Hon. Mr. Taylor:** For example, a single mother with a 15-year-old child is automatically eligible for assistance even though she is fully employable and has no direct child-rearing responsibilities which would preclude her from employment.

**Mr. Foulds:** What are you talking about?

**Hon. Mr. Taylor:** I'm talking about the existing system. What you are saying is the system we have now must be perfect because you are opposed to any changes I have suggested be made. There has been and is no intention on the part of this minister or this government to force mothers with family

responsibilities into the labour market. I've never said that; you may have said that.

**Mr. Cassidy:** Tell us how you are going to change it. What are you going to do?

**Mr. Martel:** The only way you're going to change it is make them lose jobs.

**Hon. Mr. Taylor:** You may be responding to accusations in that regard but that is absolutely incorrect.

**Mr. Cassidy:** That's exactly what you're doing there, I guess.

**Mr. Foulds:** How many times have you been misquoted?

**Hon. Mr. Taylor:** Every time one of you opened your mouth I've been misquoted. That's often, believe me.

**Mr. Chairman:** Order, please.

**Mrs. Campbell:** Mr. Chairman, on a point of order.

**Mr. Chairman:** The hon. member will state her point of order.

**Mrs. Campbell:** I did yield, as a matter of courtesy, to the minister's request to answer. It does seem to me that at least I might be accorded the courtesy of the NDP in allowing the minister to proceed so that I may exercise my right to address this particular debate. I would ask that you enforce the rules of this House and let us get on with it.

**Mr. Martel:** Speaking to the point of order. I don't know why you parted with tradition by allowing the minister to respond after the lead-off of the New Democratic Party. Tradition around here has it that both critics are given an opportunity to make lead-off remarks and it's at that stage that the minister makes his response. I'm not sure why you departed from that.

The minister indicated a very short response but that was 13 minutes ago. I would suggest we return to the procedures followed in this Legislature and allow the member for St. George to get on with her remarks and then we will proceed in a normal fashion with the vote.

**Hon. Mr. Rhodes:** Speaking on the point of order, the hon. members well know that while the hon. member for Bellwoods was making his presentation, the only time there was any interruption it came from the member for Sudbury East for one—while he was here—and the member for Scarborough-Elles-



mere (Mr. Warner). This side of the House sat and listened with patience.

**Mr. Martel:** I wasn't here.

**Mr. Cassidy:** No Tories were here.

**Mr. Foulds:** All three of you did.

**Hon. Mr. Rhodes:** As soon as the minister began his response, after the courtesy was extended to him by the member for St. George the hon. members in the New Democratic Party interrupted continually, especially the member for Bellwoods.

**Mr. Martel:** The hon. minister is not even speaking to the point of order.

**Mr. Chairman:** Order, please. The hon. member for Sudbury East has already spoken. This is not a debate.

**Mr. Martel:** I was speaking to the point of order.

**Mr. Chairman:** You have already spoken to the point of order.

**Mr. Martel:** Certainly, I have spoken to the point of order. That was a deliberate misleading statement. It doesn't speak to the point of order at all. The manner in which this Legislature works—

**Mr. Eaton:** Sit down; throw him out.

**Hon. Mr. Rhodes:** Mr. Chairman, on a point of privilege; it's been said that I have deliberately misled the House and I expect the hon. member to withdraw that.

**Mr. Martel:** I do not intend to withdraw, Mr. Chairman.

**Hon. Mr. Rhodes:** Mr. Chairman, I expect that he should withdraw it. I did not intentionally mislead the House at all.

**Mr. Chairman:** The minister says that you should withdraw it.

**Mr. Martel:** He should speak to the point of order if he is speaking to anything and not bring in some red herring.

**Hon. Mr. Rhodes:** Mr. Chairman, I still feel that the hon. member should be required to withdraw the statement that I deliberately misled the House.

**Mr. Cassidy:** It's like a blue herring.

**Mr. Martel:** I must find out where I said that. It will be in Hansard.

**Mr. Chairman:** The Chair did not hear the hon. member say it.

[5:45]

**Hon. Mr. Rhodes:** Mr. Chairman, I trust it will not appear in Hansard, is that correct?

**Mr. Martel:** You can change it if you want.

**Hon. Mr. Rhodes:** The point was stated by the hon. member and I expect you, sir, to make a ruling on whether it should be withdrawn or not.

**Mr. Foulds:** What?

**Mr. Martel:** He didn't hear it.

**Mr. Chairman:** I didn't hear the hon. member say it.

**Mr. Eaton:** Did he say it or didn't he? Ask him.

**Mr. Chairman:** I will ask the hon. member did you indicate that the minister was misleading the House?

**Mr. Martel:** If I did, I probably meant it. I can't recall having said it.

**Hon. Mr. Rhodes:** Mr. Chairman, either he knows what he said or he doesn't. Most of the time he doesn't.

**Mr. Chairman:** I will ask the hon. member to withdraw that statement. The Chair heard that.

**Mr. Martel:** This is reaching the ludicrous stage, Mr. Chairman. I said if I said it I probably meant it. Now what's that mean? That if I made a statement—

**Mr. Chairman:** You are inferring that the minister was misleading the House.

**Mr. Martel:** I didn't say that, Mr. Chairman.

**Mr. Chairman:** Perhaps we can check Hansard to see what the initial statement was and in the meantime the hon. minister could continue with his brief remarks.

**Mr. Martel:** Mr. Chairman, on a point of order. Are you going to continue to move away from the way the House traditionally works?

**Mr. Chairman:** I have already ruled.

**Mr. Martel:** Or are you going to go on with this nonsense?

**Mr. Chairman:** I have already ruled on that matter. The minister said this was the

way he preferred to answer. The hon. member for St. George agreed, the committee agreed at that time and the Chair has agreed to proceed on that basis.

**Hon. Mr. Taylor:** Mr. Chairman, if I may proceed then. I was mentioning the remarks of the member for Bellwoods (Mr. McClellan) in terms of the proposed changes to the General Welfare Assistance Act in terms of a variation or amendment to the regulations of that piece of legislation.

Of course, the proposal is to redefine the definition of employment. As the member knows, or should know, a person is not required now to take temporary, casual or seasonal work even though that may be available. In other words, a person may be receiving welfare assistance and continue to receive that assistance provided that there isn't a job for him which is of a full-time or permanent nature and, presumably, of a type of work which is preferred by him.

What we are introducing are changes which will enable a person to take on part-time work to help maintain himself. I don't see anything particularly wrong with that. If we can get more persons to take jobs which may be available, even though part-time or casual, frankly, I see nothing wrong with that. That may be a part of the work ethic which our friend from Bellwoods doesn't believe in, but nevertheless the changes in regulations will reflect that.

Similarly, it is incumbent now upon a welfare officer to make payments to a child between the ages of, say, 16 and 18 who has left home and who may not be going to school. That mandatory provision is being redressed so that payment of welfare to that type of person will be on a discretionary basis rather than a mandatory basis. I think that is good in that it will not encourage children of that age to leave home and to set up independent housekeeping for no good reason.

Mind you, there may be circumstances in which a young person may be better off out of the family setting because of severe home problems. It may be better for his health, physical and mental. Those cases, of course, will be dealt with individually in light of their own particular circumstances.

There are other amendments which will be made and which have been mentioned. While they are not here for consideration, nevertheless I would like to make those few remarks in response to the attack made by the critic for the opposition on those regulatory changes.

The criticism was made that the regulation should not be tightened and instead there should be more job opportunities made available, and in that regard there was an attack on the government and my ministry for not providing work activity programmes. May I point out to the member, who, with all of his research staff and particular powers in terms of scavenging material, should know that in the last ministry's budget provision was made for an expenditure of \$1,157,500 for work activity programmes.

I may say that there were 16 programmes approved in the province as a result of the provision for that type of undertaking, so to say that we are not interested in work activity programmes is sheer nonsense. As a matter of fact, the members know and should know that these programmes are developed by the local municipalities and again financed 80 per cent by the province and 20 per cent by the municipality as a part of the municipal social service programme. Those programmes are, in fact, in operation and he should have a list of those. If not, I am sure that one could be made available to him.

In terms of job opportunity, I have mentioned before and I wish to repeat that my ministry has been working with Canada Manpower in terms of placing jobs to match the people and we have set up personnel in 11 Manpower offices in this province. That is only a pilot project, I suppose, but depending on the success of the programme, it will be expanded. So far I am very heartened with the results, so that now we will have our general welfare workers in the Canada Manpower offices so that we can better match employment opportunities with persons on welfare we are servicing. I think that's a positive, constructive step that the member should be mindful of when he is criticising this ministry and its programmes.

**Mr. Martel:** Did you talk to the Minister of Housing (Mr. Rhodes) about the jobs?

**Hon. Mr. Taylor:** Mention was made of an insulting slur on women of this province, which I certainly take very strong objection to. Again, it shows the lack of comprehension and linguistic extravagance of the member, because there was never any suggestion made by me that would suggest that a woman would be made, by this government or by my ministry, to get up in the morning and get out of her bathrobe, or however you put it.

**Mr. McClellan:** Direct quote.

**Hon. Mr. Taylor:** Well, you can take your quote, and you know, you read and you be-



lieve whatever you want to believe, but as a matter of fact the question was asked of me by that reporter about what was happening in terms of work activity programmes. I indicated that there are some problems with persons who are on welfare for a long period of time in terms of a work discipline. In other words, the longer one is on welfare, the less disciplined one is in terms of getting up at a certain time, being punctual and adopting a regular routine. I don't think it takes one of superior intelligence to see that, but—

**Mr. Foulds:** It takes one of lower intelligence to see that.

**Hon. Mr. Taylor:** —I pointed out that Metropolitan Toronto had work activity programmes on that would help the people to adjust themselves for the work force. The way that came out, of course, the way that you are reading it, is that I am suggesting that the women of this province get out of their bathrobes and get to work, and that, of course, is an absolute falsehood. I particularly object to the perpetuation of that type of remark, which you know is not what I intended—

**Mr. McClellan:** Take your programmes to the Legislature.

**Hon. Mr. Taylor:** —what I never did say, and you, of course, are dedicated to perpetuating misleading statements.

**Mr. Martel:** You should withdraw that statement.

**Hon. Mr. Taylor:** All right.

**Mr. Foulds:** Why don't you get out of your pinstripe suit and get to work?

**Hon. Mr. Taylor:** All right.

**Mr. Chairman:** Order, please. This is developing into a debate. Would the hon. minister continue?

**Mr. Martel:** Mr. Chairman, aren't you going to make him withdraw that statement?

**Hon. Mr. Taylor:** In conjunction with that, the remark was made that when a person does work, he or she is taxed back the money that that person receives. Again, my friend should know very well that a single person is exempt the first \$50 plus 25 per cent of his or her earnings. If a single person has dependants—

**Mr. Martel:** Not on GWA. Not on general welfare; or mothers' allowance. Don't mislead the House.

**Hon. Mr. Taylor:** —then it is \$100.

**Mr. McClellan:** You should resign. After six months you don't even know your own legislation.

**Hon. Mr. Taylor:** There are provisions for—

**Mr. Chairman:** Order, please. The hon. member indicated that the minister was misleading the House.

**Mr. Martel:** On general welfare you are not entitled to keep the \$25.

**Hon. Mr. Taylor:** I am telling you that—

**Mr. Martel:** I am telling you that you are wrong. It is discretionary. On some general welfare—

**Mr. Chairman:** Order, please.

**Hon. Mr. Taylor:** My friend was talking about taxing back income of persons who are getting back into the work force and I am simply explaining what that is.

**Mr. McClellan:** I was talking about general welfare assistance, and you know it.

**Mr. Martel:** Not on general welfare.

**Mr. McClellan:** You are ridiculous; preposterous.

**Hon. Mr. Taylor:** Again, you know very well that a person is allowed to keep, as I say—

**Mr. Martel:** On mothers' allowance.

**Hon. Mr. Taylor:** —the first \$100 on family benefits.

**Mr. Martel:** That is not general welfare.

**Mr. McClellan:** That is not general welfare assistance, for the fourth time.

**Hon. Mr. Taylor:** When you are talking about general welfare assistance, you know and I know that that is administered by the municipalities and there is a discretion there on the part of the municipality as to what they keep. You know that. If you don't know that, you should know that.

**Mr. Martel:** Oh bull. You tell me the ones that allow it.

**Mr. Ferrier:** They will be looking over their shoulder at every move you make.

**Hon. Mr. Taylor:** Well, as I say, sure you want to perpetuate the system. What we are trying to do is to rehabilitate. We are trying

to retrain, where possible, we are trying to match people with jobs and—

**Mrs. Campbell:** Oh no you are not. Don't say that. That is nonsense.

**Hon. Mr. Taylor:** —to restore the work ethic and to restore self-respect and dignity.

**Mr. McClellan:** That was your suggestion.

**Hon. Mr. Taylor:** And that is something that you probably don't know, if you don't agree with what we are trying to do in that regard. To suggest sending the mothers to the scrap yard—

Interjection.

**Mr. Breaugh:** Stop saying it.

**Mr. Foulds:** Put both feet in your mouth and stop talking.

**Hon. Mr. Taylor:** —again that's sheer nonsense, and you know it. It's that type of misleading statement that is doing a disservice to the people on family benefits and welfare in this province. You know, through that type of remark all you are doing is upsetting people who are in true and genuine need and whom we are trying to help. You are upsetting them emotionally and every other way by making statements that are absolutely inaccurate. I think you are doing a great disservice. You might think about it more closely. You can tear a strip off me if you wish and I can take it, but just don't pick on the people of this province—

**Mr. Martel:** Oh, you are preposterous. You are preposterous.

**Hon. Mr. Taylor:** —who are actually on welfare, who are in need and who we don't intend to touch because they are legitimate cases.

**Mr. Martel:** You are unreal.

**Hon. Mr. Taylor:** You are trying to upset and disturb them, and I think that is terrible. It's shocking.

**Mr. McClellan:** By quoting you, that would upset them. You are right.

**Hon. Mr. Taylor:** It is certainly shocking.

**Mr. Chairman:** Order, please. It is now almost 6 of the clock. Before the House leader speaks, I would like to indicate that the Chair will recognize the member for St. George as the first speaker when we go back into committee to discuss these estimates further.

**Mrs. Campbell:** Thank you, Mr. Chairman.

**Hon. Mr. Welch** moved that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Welch:** Mr. Speaker, before moving the adjournment of the House may I indicate that tomorrow, Thursday, we will take into consideration the resolution standing in the name of the Treasurer (Mr. McKeough) with respect to interim supply, and hopefully conclude the supplementary estimates before we finish our work tomorrow night at 10:30, following which, with those two matters in hand, we will then have the mid-term break.

**Hon. Mr. Welch** moved the adjournment of the House.

Motion agreed to.

The House adjourned at 6 p.m.



## APPENDIX

(See page 537)

Answer to a question taken as notice was tabled as follows:

*Mr. Williams*—The Toronto Area Transit Operating Authority issued a statement over the weekend to the effect that GO Transit buses should unload their passengers at suburban subway terminals rather than run into the city in direct competition with the Toronto Transit Commission. This may seem to have some sense but does this mean that the present service from Keswick and Newmarket to Toronto via Woodbine Avenue and the Don Valley Parkway would be terminated prior to or in conjunction with the startup of the Richmond Hill GO Transit rail service?

Answer by the Minister of Transportation and Communications:

The Toronto Area Transit Operating Authority or, TATO, as it is usually referred to, currently schedules approximately 290 GO bus trips toward Metropolitan Toronto each week day. Of these, about 60 trips terminate at GO stations, and a further 60 trips at TTC subway stations. The other 170 carry on through to downtown Toronto.

The policy of feeding GO trains has been in effect since 1970 and has been, in fact, an extension of the rail service at a much lower cost than is possible with trains. This type of service is well received by the commuting public to the point that about 40 per cent of all Lakeshore corridor bus passengers transfer to the GO train.

GO buses began feeding the subway system in 1974 with the extension of the Yonge subway north to Finch Ave. At that time, a full schedule GO shuttle was established between Richmond Hill and the new subway terminal in place of a service which previously continued to the downtown area. This new feeder service, too, has been well received by the commuting public. This service now is carrying twice the number it did when commenced, less than two years ago.

Just last month, two new GO subway feeder services were inaugurated; one from Georgetown and Brampton, terminating at the York Mills station; the other connecting Markham, Stouffville, Uxbridge and Claremont with the Finch terminal. These feeder buses, of course, do not continue to the downtown core. The reception of these services is quite encouraging.

Also, last month, GO Transit introduced a new fare structure which offers a price reduction to passengers who transfer to the TTC subway system rather than stay on the GO bus for the trip downtown. Today, some 30 per cent of our Yonge corridor passengers make the transfer at Finch during the peak periods. It is expected that the price advantage will encourage more passengers to this pattern and permit a reduction in the number of through bus trips.

During the off-peak periods, when there is comfortable capacity on the subway, it will be TATO policy to eliminate most trips to the downtown area with the exception of the longer-distance trips such as those from north of Newmarket.

This overall policy of TATO has a three-fold purpose:

It benefits the passenger by giving him access to the entire TTC system at a lower fare than would be charged for the GO bus trip downtown;

It reduces competition with, or duplication of TTC services with the resulting benefit to both parties; and

It permits better utilization of GO buses which, in turn, reduces the costs of the GO operation.

I support the TATO policy. It makes good sense not to duplicate services. It makes good sense to match service to public demands. It makes good sense to have some trips downtown priced in accordance with cost, and it makes good sense to maximize the usage of the equipment available. I agree, however, that each corridor has differences and thus each corridor must be assessed individually as they have been over the preceding years.

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# Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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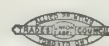
Thursday, March 18, 1976

Afternoon Session

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Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

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The House met at 2 p.m.

THURSDAY, MARCH 18, 1976

Mr. Speaker: Statements by the ministry.

### RESIDENTIAL PREMISES RENT REVIEW ACT

Hon. Mr. Handleman: Mr. Speaker, as members are aware, the Residential Premises Rent Review Act, 1975, requires that the Lieutenant Governor in Council determine a percentage rent increase that a landlord may charge for any period commencing on or after Aug. 1, 1976, and before Aug. 1, 1977. The Act further requires that this increase be announced not later than April 1.

Because the increase is of great interest to both landlords and tenants, the government has decided to make an announcement today to allow as much advance notice as possible.

First, I would like to say that this decision was not arrived at lightly. A great deal of research has gone into the determination of the rate. Senior officials of my ministry, led by our staff economist and supported by experts within the Ministry of Housing and the Ministry of Treasury, Economics and Intergovernmental Affairs, have worked long and hard to compile the data needed by my colleagues and myself in making this decision.

I would point out that our deliberations were conducted keeping in mind that the percentage rent increase allowable without review should have relevance to the general economic climate and to the overall housing situation in the province so as to minimize any deterioration in the rental situation. At the same time, it must be compatible with the anti-inflation goals of this government.

We also had to ensure that the allowable increase would permit landlords to pass on legitimate increases in cost without exceeding the limits of a typical tenant's monthly budget.

Therefore, acting on the best advice available to us, we have decided that the percentage rent increase will remain as eight per cent for the period between Aug. 1, 1976, and July 31, 1977.

I would emphasize that landlords who feel justified in charging more than an eight per cent increase must seek a hearing before a rent review officer. Of course, tenants retain the right to such a rent review hearing if they feel that rent increases of eight per cent or less are excessive.

### SOFT DRINK CONTAINERS

Hon. Mr. Kerr: Mr. Speaker, later today I will table the report of the Waste Management Advisory Board on the carbonated soft drink container in Ontario.

The Waste Management Advisory Board was appointed a year ago to assist and complement the efforts of my ministry in developing methods of reducing and handling the volume of solid waste of all types now generated in our province. As part of its activities, the board is preparing the final report on the packaging of milk. I hope to receive this report shortly, at which time I will table it and distribute it to the public.

In its report on soft drink containers, the advisory board expresses its dissatisfaction with the industry's progress during the past 12 months toward increased sale and use of the refillable container.

You will recall that my predecessor, the Hon. W. Newman, met with representatives of the carbonated beverage industry and its suppliers and retailers in March, 1975. The minister alerted the industry to the growing trend toward increased sales of the non-refillable, or throwaway container as it is also called, and asked industry members, bottlers and retailers to take concerted voluntary action to increase the use of the environmentally preferable refillable container.

The board's report, based on a year's study, reflects only minor advances toward increased use of the refillable container. It indicates that progress has been limited on the whole and that response by the retail sector of the industry in particular, with one or two exceptions, has been especially disappointing. There is ample statistical evidence supporting this conclusion.

There is some daylight in the situation, however. I quote the report:

The decline in market share of carbonated soft drinks sold in refillable bottles has been halted and the trend, although modest, has been reversed for the first time since non-refillable containers were first introduced in the 1960s.

As we are all aware, the issue of solid waste and what to do with it is a challenging and complex problem in today's society.

The report of the Waste Management Advisory Board makes several recommendations for action by my ministry and I intend to give these full consideration. I will review the board's report and its ramifications with my cabinet colleagues and introduce specific legislative proposals to the House in the near future.

### GUELPH ABATTOIR

Hon. J. R. Smith: Today at 1:30 p.m., on behalf of the government of Ontario, I signed an instrument of assignment of the licence to operate the abattoir at Guelph Correctional Centre to Guelph Beef Centre Ltd., a company of the DeJonge Group. This instrument will be placed before the bankruptcy court when it resumes sitting at 2:45 p.m. today.

The DeJonge proposal, received by the trustee and approved by a large majority of the unsecured creditors, is consistent with accepted bankruptcy practices. It provides for the purchase of unsecured creditors' claims at 15 cents on the dollar, with larger dividends available to small creditors.

It also permits creditors the option of waiting for six months, during which time the assets of Essex Packers Ltd. will be more thoroughly valued. They may then possibly receive a larger dividend, without losing the guarantee of 15 cents on the dollar.

The advantages of allowing production to continue in this way are many:

Unsecured creditors will receive some payment;

Employment opportunities for some 200 to 300 former Essex Packers workers will be maintained;

There will be a continuing market in the Hamilton and Guelph areas for pork and beef producers, including those who were unpaid when Essex went into receivership;

There will be no interruption in the ministry's successful rehabilitative programme.

To amplify my last point, the DeJonge Group proposes to run the abattoir as it was operated by Essex Packers Ltd., but with an increase in productivity from 900 to 1,400

head per week. The heavy emphasis on rehabilitative training will now include co-operation with Conestoga College of Applied Arts and Technology in a programme, the details of which are still being developed. At present, the abattoir is classified as a training centre with Canada Manpower. Inmates who seek a career in the industry on release, and who are judged suitable, will be offered employment opportunities as available on release.

Inmate wages will be at least as high as at under the new agreement. Present figures are: On commencement as trainee, \$3.15 an hour; after three months' training, \$3.50 an hour; if successful in the merit selection process for assignment to more skilled and specialized jobs, \$4.90 an hour.

The programme began last May, and the occasional inmate has remained incarcerated long enough to complete the training and to gain the civilian rate of \$5.60 an hour. Usually, however, sentences are completed before the trainee is fully qualified for the top-paying jobs.

Nevertheless, through overtime, many inmates have been able to support their families at a level of over \$200 per week, more than twice what their families could hope to receive on social assistance—and this after paying \$25 per week for their institutional board and lodging and substantial income tax deductions.

Since the start of the programme last May, an average of 30 inmates has been employed daily, despite Essex Packers' troubles, and total earnings have reached \$125,000. The best month to date was February, 1976, when 47 inmates earned a total of \$15,785. These figures, of course, will increase if the productivity rises as planned under the new agreements.

I should stress that the DeJonge Group was the only company to come forward with a total package involving not only the Guelph Correctional Centre operation, but also the continuance of the Hamilton operations. This factor was of consequence in the government's decision, since so many jobs can be saved. All other groups contacted would have seen the Hamilton facility phased out, as they were only interested in the efficient Guelph Correctional Centre facility.

For all these reasons, and after exploring all alternatives prior to bankruptcy, the government has decided not to force the bankruptcy of Essex Packers Ltd. This course, followed by the calling of tenders for the operation of the Guelph facility alone, without



reference to the future of Essex Packers' other interests, has therefore been rejected in favour of our agreement to the DeJonge proposal.

### IDENTIFICATION OF HAM RADIO OPERATORS' VEHICLES

**Hon. Mr. Snow:** Mr. Speaker, I wish to announce changes in the motor vehicle licensing system to permit the identification of passenger motor vehicles owned and operated by ham radio operators.

Currently, all passenger vehicles, including those owned by radio operators, are identified by licence plates containing three letters and three numbers.

**Mr. Cassidy:** Must be an election that did it.

**Hon. Mr. Snow:** Radio operators will now be able to purchase passenger vehicle licence plates that will include their radio call number. These special plates will begin with VE3 followed by two or three alphabetical characters—for example, VE3-AB or VE3-ABC.

These special radio operator vehicle plates will be made available under the ministry's current "own choice" licence plate programme for a standard fee of \$25, over and above any other fees payable.

This change in the licensing system has been requested by the Radio Society of Ontario, and will readily identify radio operators who can provide—and, I might say, Mr. Speaker, have in many cases provided—a very valuable public service by assisting the police or other organizations during emergencies and searches and that type of situation. I am very pleased to announce this today.

[2:15]

**Ms. Sandeman:** Point of privilege, Mr. Speaker.

**Mr. Speaker:** Yes, the hon. member for Peterborough.

### POINT OF PRIVILEGE

**Ms. Sandeman:** Mr. Speaker, I have always understood that it was a right of the members of this House to be free to receive their constituents in their offices at any time, whether by invitation or not. Could you explain to me why several of my constituents, and I believe those of other members, this morning were denied entrance to the House for a considerable period of time by the security guards; were subjected to quite in-

tensive questioning; kept standing out in the cold for periods of upwards to an hour; when I, and I believe other members, were expecting to see them upstairs by appointment?

**Mr. Speaker:** I'm not aware of that, but I just might restate the policy. All demonstrations are outside, but it's quite clear that if any individual of the demonstrating group or groups, or a reasonable number of people wish to see a particular member, that is arranged. There were several caucuses this morning, I understand, and they had difficulty making contact with the members. But that is the clear, stated policy. If you were in your office, you should have been called by the appropriate security person. If you were there, then there is no reason you should not have received a call. I'll check into that, thank you.

I believe there was another ministerial statement, which I didn't catch.

### AUTO LICENSING AGENCIES

**Hon. Mr. Snow:** Sorry, Mr. Speaker, this is an answer to question No. 4 on the order paper in the name of the member for Rainy River (Mr. Reid), which I would like to give by way of a statement. The question was:

Would the Minister of Transportation and Communications advise the amount of money collected by licence plate issuers which has been unaccounted for, for the past five fiscal years?

The answer, Mr. Speaker: There are no moneys unaccounted for that have been collected by motor vehicle licence issuers during the past five fiscal years.

There is an amount due from one former issuer in the sum of \$119.45. At the time of his resignation, a reconciliation and audit of his account established that \$286 was due the ministry. Payments are being at the rate of \$10 per month, albeit irregularly.

At this time, however, the Ontario Provincial Police, at the request of the ministry are investigating certain matters relating to the handling of funds in two motor vehicle licence issuing offices. It would be inappropriate for me to speculate as to the results of these investigations at this time.

**Mr. Speaker:** Oral questions.

### REPRESENTATIONS BY HAULERS ASSOCIATION

**Mr. Lewis:** Thank you, Mr. Speaker. May I first ask a question of the Minister of

Transportation and Communications? Will he meet with representatives of the Ontario Haulers Association, who put forward a rather strong position outside the Legislature today; and will he indicate to the Legislature any changes he intends to make under the Public Commercial Vehicles Act as a result of the representation made to him?

**Hon. Mr. Snow:** I've always been available to meet with the Ontario Haulers Association. I have met with them—not recently—but I did receive a telegram a few days ago advising me of the intention to hold this demonstration today and asking me to be available for a meeting. I have been in this building most of the day. I've not been asked for a meeting. I will be here the rest of the day. I will be most of the afternoon in the estimates committee, however, but I'll certainly be prepared to meet with them.

To the other part of the question of the Leader of the Opposition; no, I do not have any plans for changing that Act.

**Mr. Reid:** Supplementary, Mr. Speaker: Can the minister indicate whether with the limited experience we have whether he is satisfied with the new regional system of permits for the truck hauling industry?

**Hon. Mr. Snow:** As I stated last week, I believe, in reply to a similar question, as per the legislation and the amendments that were passed here last fall as a result of the request of this same truckers' organization—

**Mr. Reid:** No, of this one. There are two different organizations.

**Hon. Mr. Snow:** No, I beg to differ. I believe this organization was very much involved in representations to my predecessor that probably had a great deal to do with the initiating of his decision to have the dump truck inquiry under Mr. Rapoport. Mr. Rapoport brought in his report and one of the main recommendations of the report, after studying the industry very intensively, was for the control of entry into the field. That recommendation, along with other recommendations of the report, was implemented last fall by changes in legislation or regulation.

We're just in the process at this time of issuing the new R licences to the truckers who presently have the F licences. Automatically each truck owner who has an F licence gets an R licence, giving him authority to operate in one of the five regions. These are not small regions, they're quite

large regions. Also, as I stated again last week—and I don't like to repeat myself, because it's all in Hansard—the chairman of the Highway Transport Board is arranging for hearings to be set up in local communities to receive applications for extension of those R licences into a second, third or fourth region. Obviously, many of the operators are going to need this additional licence. Last night I talked to one operator whose home base is within two miles of a regional boundary. He obviously operates in both regions. Of course, I advised him to apply to the board for authority to operate into the second region, permanent authority, and if he needs immediate authority to operate, he can apply for temporary authority which the chairman can grant him.

If we're going to gain the benefits that were requested by the trucking industry, that were recommended by Mr. Rapoport, then I'm sure the legislation that we have will do this.

**Mr. Philip:** Supplementary: Can we take it from the answer just given that the minister is prepared to look at ways of becoming more flexible under the present regulations and that he will consider any recommendations that the haulers will care to make with you when they do meet, in fact, this afternoon?

**Hon. Mr. Snow:** The authority for granting—

**Mr. Singer:** Why don't you just say you are flexible and sit down?

**Hon. Mr. Snow:** —public commercial vehicle licences lies with the Ontario Highway Transport Board. I don't think there's any need for additional flexibility. The chairman of the board has the authority and has assured me that he is willing to deal with any situations, or any applications, as they are put before him. I don't think there's any need for me—and I'm not sure I have the authority—to suggest to the chairman of the Highway Transport Board that he should be more flexible than the legislation and the regulations allow him to be. Also, I can't give the hon. member a commitment, obviously, that I will implement any suggestions that the truckers may have, because, of course, I have no idea what suggestions they may have.

## HOSPITAL CLOSINGS

**Mr. Lewis:** A question, if I may, of the Premier: Is there a backbench revolt sim-



mering in the Premier's ranks about the way in which he handled the hospital cutbacks without advance discussion with the areas affected?

**Hon. Mr. Handleman:** You're dreaming again. You'd better go and see Stuart Smith.

**An hon. member:** Wishful thinking.

**Mr. Speaker:** Order, please.

**Mr. Reid:** What kind of a setup is that?

**Hon. Mr. Davis:** Unlike some parties in this House, we don't have any backbench revolts.

**Mr. S. Smith:** They certainly have a revolting front bench.

**Mr. Lewis:** Oh? You have a statement to make, perhaps, Stuart? All right. May I ask the Premier a supplementary?

**Mr. Reid:** What kind of setup is that?

**Mr. Lewis:** Can I ask him this? Would he care to reflect on the following, which was elicited today? The comment says, on the paper I have: "Mr. Johnston hereby goes on record as being in opposition to health cutbacks until further consultation with the people involved. Signed, Bob Johnston, MPP, St. Catharines."

Interjections.

**Mr. MacDonald:** He is always in favour of restraint whether it is seatbelts or anything.

**Mr. Speaker:** Order.

**Hon. Mr. Davis:** I would be very surprised and disappointed if the members whose ridings are affected by any policy of government didn't register their concerns to their constituents.

As I say, unlike some parties opposite I never interpret that as a matter of revolt. In fact, within our party the word revolution is not part of our vocabulary, unlike theirs.

**Mr. Reid:** How about—

**Hon. Mr. Davis:** Evolution, yes; revolution, never.

**Mr. Lewis:** As a matter of fact, at this point in time, evolution isn't even in your vocabulary. But immobility, paralysis, all of those.

#### EDUCATIONAL TELEVISION IN NORTHERN ONTARIO

**Mr. Lewis:** May I ask another question? Why did the Premier not accept—it's a sepa-

rate question—the first recommendation from the Ministry of Culture and Recreation in the cabinet submission that came to you on Nov. 25, 1975, to proceed with the television stations and microwave transmitters for Sudbury and Thunder Bay?

**Hon. Mr. Davis:** I think the Minister of Culture and Recreation (Mr. Welch) might like to comment on that question. I am sure he will be back here very shortly.

**Mr. Lewis:** As I understand it, however, it did come to cabinet on Nov. 25, 1975, and presumably cabinet said no since that was the public decision. Therefore, whoever speaks for cabinet—

**Mr. Singer:** Why don't we get questions instead of speeches all day?

**Mr. Lewis:** Who speaks for cabinet?

**Mr. Speaker:** Order, please. The question may be referred to when the appropriate minister is here.

**Mr. Lewis:** But I don't want to ask the Minister of Culture and Recreation. I would like to ask—

**Mr. Singer:** You have already had an answer.

**Mr. Lewis:** Can the Premier answer why cabinet rejected the recommendations?

**Mr. Singer:** Do you have a supplementary for that? I'm sure you must have?

**Hon. Mr. Davis:** Mr. Speaker, I can only make the observation that there are a multitude of recommendations which come to cabinet from a number of ministries. I would say—I think I am right in this—that probably the majority of these recommendations involve the government in additional public expenditure.

I think it is fair to say that, in spite of some of the rhetoric here in this House in the past while, the government programme of restraint has been one that has been under way for a period of time. While I am not at liberty to divulge the discussions that take place within cabinet, I think it is fair to say that there is some likelihood that the decision to delay or postpone or find alternatives to expenditure of sums of money, whether it was educational television or anything else, would be in that area of restraining the level of government expenditure. As I say—I am sure the Leader of the Opposition knows this—I really can't tell him exactly what goes on in cabinet as much as he would like to know.

**Mr. Speaker:** We will have one more supplementary from the Leader of the Opposition.

**Mr. Lewis:** By way of supplementary, maybe the Premier can explain why he—

**Mr. Singer:** Mr. Speaker, this question period is a joke.

**Mr. Lewis:** —took the position he did when at the top of page 5 and throughout the memorandum it said:

Cancel, at a cost to the government of \$903,000, the planned stations at Sudbury and Thunder Bay. The government received absolutely nothing for \$903,000 in 1976-1977.

Can he explain in the context of restraint how that made sense?

**Mr. Singer:** That's Tory management. Mr. Speaker, on a point of order, the same question really has been asked three times. The Premier said it was cabinet policy. Why does our time have to eaten up by this posturing by the Leader of the Opposition?

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Cassidy:** Are you in bed with them?

**Hon. Mr. Davis:** In answer to the question—this is why I suggested, with respect, that perhaps the Minister of Culture and Recreation might answer this particular question—as we are attempting to deal with restraint we are also attempting to see if there aren't alternatives which can be accommodated within certain levels of expenditure. The ministry has been working on alternatives but quite often alternatives are not as good as one would like to see achieved basically or in the initial period—

**Mr. Sargent:** We didn't get our copy of that report.

**Hon. Mr. Davis:** —whereby there will be—

**Mr. Makarchuk:** Nine hundred thousand dollars for nothing.

**Hon. Mr. Davis:** If the members will listen for a moment, the ministry is pursuing an alternative that really will result in no loss to the Province of Ontario.

[2:30]

**Mr. Reid:** Supplementary?

**Mr. Speaker:** The member for Rainy River with a final supplementary.

**Mr. Reid:** May I ask the Premier if he doesn't feel as a matter of policy and principle that TVO or ETV, whatever he prefers to call it, should be spread to those communities far away from the metropolitan centre, where we don't have the benefit of a number of television channels and so on; that in fact ETV was set up to do that very thing, and he is punishing those very people that it was set up to bring that service to?

**Hon. Mr. Davis:** I am delighted to have this question from the hon. member because he is, of course, right in his basic assumption on the long-range policy of the government and certainly ETV—or whatever terminology he may wish to use—contrary to the views of some of his colleagues in his own caucus; yes, I think in terms of policy and principle—

**Mr. Sargent:** Why is Grey-Bruce last on the list then?

**Hon. Mr. Davis:** In terms of policy or in terms of principle, the intention is to have it in the northeast and northwest. I don't think there is any question about that. The Leader of the Opposition was referring to a plan whereby this would be accomplished. I am just saying to the House the ministry is working on a proposal where this can be partially accomplished within the constraints and with no \$900,000 loss.

## HOSPITAL CLOSINGS

**Mr. S. Smith:** A question to the Premier: In view of the Health Minister's ill health, which we all very much regret, will the Premier postpone the hospital closings at least until the minister is back in operation again?

**Hon. Mr. Davis:** Mr. Speaker, I don't want to lead anyone astray. This is a very important issue to the communities which have made representation to the government and to the hospital boards.

I guess now I have met with either three or four groups which have made representations based on their views of the decision of the minister and the ministry. I think it was the hope of the minister prior to yesterday to come to some degree of finality, if possible, as soon as it could be done in order to have it settled in the minds of the people affected and so on. And I think that made great sense.

I would say to the members of the House, Mr. Speaker, that with the unfortunate ill-



ness of the Minister of Health (Mr. F. S. Miller) that the function of his ministry will be continued. I said to the one group yesterday, or I think both of them, that quite obviously there would be a response and that it might take somewhat longer than was originally anticipated. I have assured every hospital board or community that has been in to see me that the submissions that they have made will be carefully evaluated.

I think it is fair to state, Mr. Speaker, that by and large the submissions have been positive in nature. Unlike some of the observations I have heard from across the House, they genuinely support the government's programme of restraint. They are anxious to accommodate what they recognize, unlike some opposite, as the economic realities of Ontario and Canada today. I have been frankly impressed by the constructive way in which they have approached it. I was, I hope, very honest with them and made it very clear to them. There are one or two members opposite who were present at those meetings when I did my best not to create any level of anticipation or expectation that might not be fulfilled, because I don't think that would either help the situation or be fair.

**Mr. Nixon:** Just created a lot of cigar smoke.

**Hon. Mr. Davis:** The member was at one of those meetings, and I think he would agree that was the approach that was taken. It is my hope Mr. Speaker, that the ministry and those who may be assisting, can be evaluating the submissions made. I made it quite clear that while the tentative date for closing of some of the institutions was April 1, I think it was always in the mind of the minister that this might not be practical in some instances, and we are not committed to a specific April 1 date.

I can't add anything more than that at the moment, other than to say that I am sure we all regret the misfortune of the Minister of Health. But I also have to say to the leader of the Liberal Party that it is the responsibility of Premiers and governments to continue functioning. People are entitled to answers and decisions; and to say that the decisions on the alternatives that the government has been asked to assess will be postponed indefinitely because of the unfortunate situation with the minister himself, I cannot give the member that particular undertaking.

I would only add to the Leader of the Opposition—and I don't think I'm betraying any confidences—the mayor of Durham does

not really blame the government for the closing of the arena.

**Mr. S. Smith:** Supplementary: In view of the very positive and constructive nature of the delegation—as the Premier himself described it—and their willingness to assist in the necessary restraint policy, was the Premier able to explain to these delegations why they were not consulted in the first place for their constructive comments, and why instead it was said that all that would do is create “a lot of flak”?

**Hon. Mr. Davis:** We discussed a number of matters in the course of the meetings that I attended—

**Mr. S. Smith:** How come you didn't consult with them?

**Hon. Mr. Davis:** —and while I recognize, and we debated this yesterday to a certain extent in the hon. member's absence, which I totally understand, in a non-partisan way.

**Mr. S. Smith:** That makes one of us.

**An hon. member:** Couldn't face the music; that's why he wasn't here.

**Hon. Mr. Davis:** As some of his colleagues would say, he really didn't miss anything, but—

**Mr. Ruston:** That's what the reporters say, too.

**Hon. Mr. Davis:** And the Liberal House leader is going to report to him very accurately.

**Mr. Conway:** The red Tory is a red herring.

**Hon. Mr. Davis:** Mr. Speaker: I have to say this to the leader of the Liberal Party: the question of whether consultation, in that sense of the word, prior to the recommendations of the ministry or of the minister might have led to some of these suggestions prior to—I don't want to say what was in their minds, but this in itself was not expressed to me in the way that I think the leader of the Liberal Party is suggesting.

**Mr. Nixon:** Unkindly.

**Hon. Mr. Davis:** I don't say that unfairly, but he can look behind him to the member who was at one of those meetings. And it was interesting for an area that rather traditionally, with some help, had opposed any approach of looking at things on a regional basis, if I can say that—where it was even an issue in certain by-election periods—to have

that particular group of people come in, and the member for Huron-Bruce (Mr. Gaunt) was there as well—

**Mr. S. Smith:** The Premier put a gun to their heads and they came in like lambs.

**Mr. Reid:** Is this a perpetual motion machine?

**Hon. Mr. Davis:** To have the warden of the county suggest—and I found it interesting—that perhaps if there was a regional health council, or some structure of county council which could do this, I found intriguing—if I can phrase it that way—

**Mr. S. Smith:** Is this all directly pertinent to my question, Mr. Speaker?

**Hon. Mr. Davis:** —but there was no suggestion, Mr. Speaker, that this was, on its own initiative, going to occur prior to that event.

Interjections.

**Mr. Speaker:** Order, please.

**Hon. Mr. Davis:** The member for Huron-Middlesex was there.

**Mr. Speaker:** Does the hon. member for Grey-Bruce have a supplementary to the first question?

**Mr. Sargent:** Mr. Premier, in view of the circumstances of yesterday; we all very sincerely regret what happened to the minister and we hope for his full recovery. But in view of the circumstances, and supplementary to my leader's question, if minority government is going to work—

Interjections.

**Hon. Mr. Rhodes:** Have you found a way out? Find a way out; tell us about it. Have you found a way off the hook?

**An hon. member:** That was the Premier's quotation.

**Hon. Mr. Handleman:** You just snap your fingers.

**Hon. Mr. Rhodes:** He just blew the caucus confidence.

**Mr. Speaker:** Order, please. We are wasting time.

Interjections.

**Mr. Sargent:** Quote, unquote. The Premier was pleading on his knees yesterday, begging for consideration. If this is going to work—

**Mr. Lewis:** It is called a leak.

**Mr. Sargent:** —why wouldn't the Premier, in view of the situation now in regard to hospital closings, appoint a full committee of the House to deal in the future with hospital closings?

**Mr. Deans:** Was he at the Liberal caucus meeting?

**Mr. Lewis:** We have just found out what they decided.

**Mr. Speaker:** Order, please. The member for Hamilton West's question had to do with consultation earlier; and I think that's been asked—

**Mr. Sargent:** I'm talking about a committee of the whole House. Can I get an answer from the Premier?

**Mr. Speaker:** Thank you very much. It's a different question completely.

**Mr. Sargent:** It certainly is not.

**Mr. Speaker:** Order, please. I rule it so. The member for Brant-Oxford-Norfolk.

**Mr. Nixon:** Thank you, Mr. Speaker. Since you're not prepared to permit the question to be answered, I would like to ask the Premier for clarification on the removal of the April 1 deadline. Is he going to see that his office informs the boards of the various hospitals that they need not consider April 1 in the context of the minister's announcement as the closing date? I think the arrangements in these hospitals might very much depend upon the Premier's statement in this regard.

**Hon. Mr. Davis:** Mr. Speaker, I think it's quite obvious that for those hospitals where the consideration of the briefs and the proposals will not be completed in time to bring some finality by April 1, yes, there is no question that they will be informed.

**Mr. Lewis:** Supplementary: As I understand it, every single hospital other than Chesley has been given an avenue of appeal and reconsideration. So, with the exception of Chesley, we are talking about an extended life for all the other hospital closings?

**Hon. Mr. Davis:** Mr. Speaker, I am now getting into an area where I can't give the hon. Leader of the Opposition a total answer. I don't think that that is, in fact, the case. I am only going by memory now, but I believe there is a hospital in Virgil; there is one in Kemptville; there are about 10 al-



together, those are two. I don't believe that I have had representations, for instance, from Copper Cliff; I am not sure of that, certainly I haven't met with them. Really the four that I have met with who have presented the situations to me are Clinton, Durham, Doctors Hospital, and Paris-Willett.

### SCHOOL GRANTS

**Mr. S. Smith:** A question to the Treasurer, Mr. Speaker: Is the province going to ensure that financial assistance to school boards will at least equal this year the amount that they received last year?

**Hon. Mr. McKeough:** Mr. Speaker, I think that question should be directed to the Minister of Education.

**Mr. Speaker:** As a matter of fact the question was asked yesterday in the absence of the hon. member, perhaps the Minister of Education might care to answer it.

**Mr. S. Smith:** That's fine, I apologize.

**Mr. Speaker:** The question was answered yesterday. If there is a brief reply, we will allow it.

**Mr. S. Smith:** That's fine.

**Hon. Mr. Wells:** The answer, Mr. Speaker, is that the grant regulations are known to the boards. The rate of support, the grant per pupil for recognized ordinary expenditures, will likely be the same for most elementary boards in this province. It may be down slightly for some secondary boards, but we have put in a floor guarantee that it will not be any less than 95 per cent of the grant that it was the year previous.

**Mr. S. Smith:** Supplementary on that—again, forgive me for not having been here—but that is per pupil; we are speaking about where enrolment has gone down, and where the regulations now say that during a time of declining enrolment that transitional grant has now been removed, according to your new regulations. That will mean that where there is lower enrolment they will actually have lower grants this year in total than they did last year, because they will not be given a cushion with which to handle that. Would the minister please answer that question?

**Hon. Mr. Wells:** Mr. Speaker, yes, I would be very pleased to answer that question. I think, in keeping with the programme of restraint that we are now embarked upon, that if they have fewer pupils it will of necessity

mean perhaps fewer staff, and a certain cut-back in expenditures. The kind of provisions we have had in for the last few years were becoming a crutch, a crutch to boards to not cut back in keeping with their declining enrolment, and so we removed that declining enrolment position from those boards this year.

**Mr. S. Smith:** That's the crutch the ministry said was never there; the fat that was not in the system.

**Hon. Mr. Wells:** If the member would like to talk about one of the specific boards and what money they are getting next year, I would be happy to supply him with that answer. I just want him to know that we don't think we can keep propping up boards by paying them grants for pupils who aren't there.

**Hon. Mr. McKeough:** That's called new math.

**Mr. S. Smith:** That's the fat in the system, which they said wasn't there.

**Mr. Speaker:** Order, please.

**Mr. Deans:** I have a supplementary question. I would like to talk about one specific board; the Hamilton board has had to set back all of its budget meetings because it does not yet have the communication from the ministry in writing with regard—

**Hon. Mr. McKeough:** Should have been there yesterday.

**Mr. Deans:** —it hasn't got it yet—with regard to the budget and the regulations. When will they be getting those in the mail in order that they can, in fact, go ahead with the meetings that they had scheduled? I asked the minister this last week too, by the way.

**Hon. Mr. Wells:** Yes, well, Mr. Speaker, I have here the communications which were sent out to every board of education in this province, and they were dated Feb. 12, 1976. If the Hamilton board didn't have it they should have been in touch with our office before this to get it. That gives them all the information they need upon which to compute their grants. Now, the regular grant regulation—

[2:45]

**Mr. Deans:** They need the regulation.

**Hon. Mr. Wells:** No, you don't need those. You can compute your grants with everything that is in these documents here. The grant

regulations are merely the formalizing of what is in this document here, which tells you all the figures you need to compute your grants.

**Mr. Foulds:** Supplementary question?

**Mr. Speaker:** Order, please. I believe this question has been explored quite thoroughly yesterday; the same question was asked and the answer was given.

#### REPORT ON DAY CARE

**Mr. S. Smith:** For the Minister of Community and Social Services: Since the chairman of the advisory council on day care has said that the minister has had the report of that council since Jan. 30, can the minister explain why he has not yet made this report public?

**Hon. Mr. Timbrell:** That has been answered.

**Hon. Mr. Davis:** Isn't the member for St. George (Mrs. Campbell) talking to her colleague?

**Hon. Mr. Taylor:** May I repeat the question that was asked of me yesterday?

**Hon. Mr. Rhodes:** He should have been here.

**Mr. Nixon:** Answer, go ahead.

**Hon. Mr. Taylor:** The member for St. George, from the member's party, asked me the precise question yesterday.

**Mr. S. Smith:** I am sorry.

Interjections.

**Mr. Speaker:** Does the member for Hamilton West have any further questions?

**Mr. S. Smith:** No further questions.

**Mr. Speaker:** The hon. Minister of Consumer and Commercial Relations has an answer to a question asked previously.

#### NORWICH UNION INSURANCE

**Hon. Mr. Handleman:** On Monday, March 15, the member for Yorkview (Mr. Young) asked me a question regarding whether or not the Norwich Union Insurance group had held discussions with my ministry prior to its announcement that it was pulling out of the insurance business in Ontario.

I am pleased to report that the Norwich Union Insurance group contacted our superintendent of insurance on March 11 to inform him that their board of directors in England had decided to cease writing insurance in Canada in the property, automobile and casualty lines because of an insurance loss of over \$1 million. This group, which has operated in Canada for about 100 years, will continue to write life and marine insurance.

The superintendent of insurance has held discussions with the group's Canadian general manager and he has assured us that he is in the process of dealing with a number of Canadian insurers to take over the Norwich Union portfolio and the agents concerned. Negotiations are still continuing and I've asked to be kept informed of the progress. I have also received assurances that other companies operating in Ontario will supply the market and that there is capacity within the system to do so.

I can assure the members that my office has and will continue to provide assistance to agents, to farm markets as well as to consumers who may experience any difficulty in placing their insurance needs.

#### CATALYTIC CONVERTER

**Mr. Martel:** A question to the Minister of Consumer and Commercial Relations: Has it been drawn to the minister's attention that there is a severe problem with the catalytic converters in 1976 GM models which apparently leave a sulphur-like odour in the car which affects people who are suffering from chronic bronchitis?

**Hon. Mr. Handleman:** No, it has not been brought to my attention.

**Mr. Martel:** Can the minister immediately have the appropriate people within his ministry delve into it? Apparently the company cannot find a solution to the problem to this date, and it should be rectified.

**Hon. Mr. Handleman:** As I usually do in reply to questions of that nature, if there is a legislative remedy available to me, I would certainly exercise it.

#### GUELPH ABATTOIR

**Mr. Worton:** I have a question of the Minister of Correctional Services. In his announcement of an agreement with his institution and Essex Packers along with the



DeJonge Group, has he taken into consideration the concerns expressed by the members of both sides of the House as to whether he feels that his department is sufficiently protected in regard to the investments it has of over \$1 million in building and equipment? Secondly, is the minister satisfied that the farmers who will be selling beef to this group are sufficiently protected in regard to payment? Thirdly, has he consulted with the Minister of Labour (B. Stephenson) in regard to the \$1.5 million in wages, that is, holiday pay and severance pay that go to the employees?

Does he feel the ministry is getting sufficient moneys out of this firm to pay off these and has he taken any steps to protect future loss to the employees?

**Hon. J. R. Smith:** I would like to thank the hon. member for the number of discussions he has had with me expressing concern over a number of the firms interested in receiving this lease at the Guelph Correctional Centre, as well as other members on this side of the House. As a matter of fact, I was very pleased when the Canadian Cattlemen's Association came to see me on Tuesday afternoon and expressed their concerns about the DeJonge proposal. At that time I laid it right before them—what were basically the objections of the agricultural community to the DeJonge brothers as packers? It centres on only one incident in 1973 involving one of the brothers. Other than that, there is no substantiation—or no allegation can be proved in any way regarding this family company.

As far as protection is concerned, the background of these people has been checked out by all levels of police and so on. On payment of the employees' severance pay, I might point out to the hon. member that the employees are among the various creditors, as well as farmers and suppliers to Essex Packers. There was an overwhelming vote of all creditors to accept the proposal. Seven of the 25 objectors were beef producers. There were 22 beef producers involved in total and one of these objectors to the settlement had a claim of \$14; the others are substantial amounts.

**Mr. Gaunt:** A supplementary.

**Mr. Speaker:** We will allow a supplementary. The member for Huron-Bruce.

**Mr. Gaunt:** Would it be fair to assume that the farmers and all of the creditors will be paid off at 15 cents on the dollar which, believe, was the latest proposal made

by the group with which you have now entered into this agreement?

**Hon. J. R. Smith:** Mr. Speaker, the DeJonge consortium of companies has deposited with the receiver today moneys—a cheque for \$250,000—and the pledge of one of their properties as surety for the payment of \$500,000 at 15 cents on the dollar.

#### DERELICT MOTOR VEHICLE RECOVERY PROGRAMME

**Mr. Williams:** Mr. Speaker, I have a question of the Minister of the Environment. Could the minister indicate to this House the extent to which the derelict motor vehicle recovery programme is being actively pursued by his ministry?

**Hon. Mr. Kerr:** Mr. Speaker, that programme started last year with two pilot projects. I'm advised now that it involves over 400 municipalities in the province, mainly in central and northern Ontario. They've located about 11,000 abandoned vehicles and 5,000 of these vehicles were shipped to markets. It involves about \$170,000 in provincial subsidies and we hope to involve a total of about 450 municipalities by the end of this year.

#### SYNCRUDE PROJECT

**Mr. Renwick:** Mr. Speaker, my question is for the Minister of Energy. What is the reason for the delay in the negotiation of the agreement for the participation of Ontario in the Syncrude project? What effect is the delay having on the project itself?

**Hon. Mr. Timbrell:** Mr. Speaker, the project itself is going ahead on schedule, all aspects of it—the main plant, the pipeline and the utility plant. There are a number of agreements involved with the Syncrude participation. If the member could indicate which particular agreement he is referring to, whether it's the utility plant agreement, the main participation agreement, some of the financial agreements or whatever, they are all—

**Mr. Renwick:** They're all part of the package.

**Hon. Mr. Timbrell:** —they are all part of the package and they are all proceeding, I think, pretty well on schedule.

**Mr. Sargent:** A supplementary.

**Mr. Renwick:** A supplementary, Mr. Speaker.

**Mr. Speaker:** Order, please. A supplementary by the member for Riverdale.

**Mr. Renwick:** By way of a supplementary question: Referring to the Premier's statement of Feb. 4, 1975 about the urgency of the project, when does the minister anticipate that the \$100 million investment by the Province of Ontario will be made in the project? Or is the government reconsidering its participation regardless of the fact that the project is going ahead without the participation of Ontario?

**Hon. Mr. Timbrell:** Mr. Speaker, the project is going ahead with the participation of Ontario. Ontario is not considering withdrawing from the project. The \$100 million represents five per cent, as members know, of the \$2 billion estimate at the time at which we entered the project. Ontario has been paying its portion of the project as we've gone along according to interim agreements signed. The plant, it seems, will come into service on schedule in 1978.

**Mr. Sargent:** I have two points. Has the \$100 million been paid yet? Secondly, what other provinces are involved at five per cent?

**Hon. Mr. Timbrell:** Mr. Speaker, I think the current up-to-date figures would be about \$20 million spent as part of our commitment to the Syncrude project. Members will recall that the governments of Canada, Alberta and Ontario are participating in the project to a total of 30 per cent. The Province of Alberta is in for 10 per cent, plus an additional amount of money which they are lending to some of the participants, plus their participation through the Alberta Energy Co. in a number of the off-site facilities—well, really, they are on-site—the utility plant and pipeline. As well the Alberta government is involved in Fort McMurray and in the overall project with the provision of housing, roads, bridges, sewers, schools and so forth.

### SEXUAL CHARGES

**Mr. Singer:** Mr. Speaker, I have a question of the Attorney General. Could the Attorney General tell us what is going on in Ottawa in relation to—

Interjections.

**Hon. Mr. Rhodes:** You have come to the fount of all knowledge.

**Mr. Reid:** Nobody can tell us that.

**Mr. Singer:** He might tell us that one, too, but where he has jurisdiction in the Crown attorney's office—that is what I was talking about. What is going on in the Crown attorney's office in Ottawa in relation to those charges against certain individuals who were charged under the Code with sex offences on the basis of the evidence—or the apparent evidence—of a 15-year-old boy who was being treated for his mental condition? Some charges have now been withdrawn against people who have some public reputations, having sat there for many months, and those people—at least one of whom enjoyed a position in the media—were damned by reason of charges that are never going to be heard in court. And the Crown must have known about this.

**Hon. Mr. McMurtry:** Mr. Speaker, the matter that the hon. member refers to involves a number of cases, which resulted in the convictions of, and pleas of guilty by, a number of individuals.

**Mr. Cassidy:** And a lot of acquittals.

**Hon. Mr. McMurtry:** There's no doubt but that the one very key witness, on behalf of the Crown, was a very important witness in these proceedings. There was a charge withdrawn on Monday—

**Mr. Singer:** A number of charges.

**Hon. Mr. McMurtry:** I am aware of charges against one individual that were withdrawn on Monday. The reason for the withdrawing of these charges was because it was felt that this witness was in ill health and simply unable to testify by reason of his ill health. And I am further advised that one of the reasons for his ill health was the extent to which he had been victimized by the events that led up to the prosecution of a number of individuals and which, as I have already indicated, resulted in conviction or pleas of guilty.

We were advised that if this young man had to be called upon to give evidence yet once again his health would deteriorate to such an extent that his very life might be in jeopardy. It was on that basis, and on that basis alone that those charges were withdrawn on Monday last.

**Mr. Singer:** By way of supplementary, Mr. Speaker: Doesn't the minister know that this young man, who was supposedly the key witness in 17 individual trials, was mentally ill two years ago when the charges were first



laid and that the Crown should have recognized that this was likely to happen? And in the case of non-guilty pleas the young man would not be available to give his evidence, and that this was all known to the Crown's office and the Crown did nothing about it?

**Hon. Mr. McMurtry:** I have looked into the matter fairly carefully, Mr. Speaker, and I am satisfied that the Crown attorney in Ottawa conducted himself in the best tradition of the Crown's office in this province in the handling of that very delicate matter.

**Mr. Speaker:** The Minister of the Environment has the answer to a question. Is this a supplementary for the member for Ottawa Centre?

**Mr. Cassidy:** Yes, Mr. Speaker. One appreciates the minister's concern about the witness in that particular case, but in view of the fact that not within living memory has there been charges laid against males who consort with female prostitutes in a bordello does the minister not feel any concern about what has happened to the reputation of people who were charged in this rather unusual and extraordinary case? Is he not concerned, or has he laid down any guidelines to police departments and Crown prosecutors as to what should happen in the future if material of this nature comes to their attention?

[3:00]

**Mr. Singer:** Shouldn't happen then.

**Mr. Sargent:** Pretty shaggy.

**Mr. Speaker:** Order, please.

**Hon. Mr. McMurtry:** From the information which has been made available to me, I'm satisfied that the matter would be handled no differently in the future, certainly with the information the Crown counsel had available to him. If any of the members opposite have any specific allegations to make about the handling of this particular case I would like them to make these specific allegations rather than a sort of general, vague condemnation of the manner in which this was handled. If there are any facts which I do not know let me have them.

**Mr. Singer:** The Crown ruined several reputations by this ridiculous kind of action.

**Mr. Cassidy:** It ruined reputations and it led to a suicide; that is what happened.

**Mr. Speaker:** Order, please.

**Hon. Mr. McMurtry:** They are making some pretty irresponsible statements on the other

side of the House and I think they should be made aware of that.

**Mr. Speaker:** Order, please.

**Mr. Cassidy:** On a point of privilege.

**Mr. Speaker:** A point of privilege.

**Mr. Cassidy:** I would say to the minister that if he would dig into the files of his predecessors, about six or eight months ago I gave a lengthy list of those kinds of complaints and I have not had a response.

**Mr. Speaker:** Order, please that is not a point of privilege.

**Mr. Lewis:** On a point of order, Mr. Speaker, the minister requested any specifics from members opposite by way of complaints and they were provided.

**Mr. Speaker:** I didn't recognize that as information being given.

The Minister of the Environment has the answer to a question.

**Mr. Singer:** If the Attorney General can't concern himself about people's reputations, it is a fine thing.

#### ACCESS TO OSHAWA MARSH

**Hon. Mr. Kerr:** Mr. Speaker, the hon. member for Durham East (Mr. Moffatt) asked me a question yesterday about my ministry staff being denied access to the marshland known as the Oshawa Second Marsh.

I'm advised staff were denied access in June last year. Apparently work had been undertaken by the federal Department of Public Works which obstructed the outflow of water from the marsh to Lake Ontario. However, last August, my ministry staff, along with staff from Environment Canada, made an inspection of the area in question.

On Sept. 8, a letter was forwarded from my ministry to the Oshawa Harbour Commission requesting that the obstructing material be removed to restore the natural outlet from the Second Marsh to the lake. Further inspection of this marsh will be undertaken very shortly to see that our recommendations have been carried out.

**Mr. Moffatt:** A supplementary, Mr. Speaker.

**Mr. Mancini:** Mr. Speaker, I have a new question.

**Mr. Speaker:** We have time for a short supplementary question.

**Mr. Moffatt:** Supplementary to the answer: Has the material been removed from the out-flow from that marsh to this date?

**Hon. Mr. Kerr:** That's what the further inspection will find out. I expect that will be done in time.

**Mr. Speaker:** The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mrs. Scrivener presented the annual report of the Ministry of Government Services for the fiscal year beginning April 1, 1974, and ending March 31, 1975.

**Mr. Cassidy:** We hope it is her last.

Mr. Edighoffer from the standing miscellaneous estimates committee reported the following resolution:

Resolved: That supply in the following supplementary amounts and to defray the expenses of the Ministry of the Environment be granted to Her Majesty for the fiscal year ending March 31, 1976:

Ministry of the Environment	
Environmental control	
programme .....	\$10,000,000

Mr. B. Newman from the standing procedural affairs committee presented the committee's report which was read as follows and adopted:

Your committee has carefully examined the following applications for private Acts and finds the notices, as published in each case, sufficient:

Mid Erie Acceptance Corporation Ltd.;  
Borough of Scarborough;  
Township of Wicksteed;  
Borough of York;  
Congregation of St. Andrew's Church,  
Ottawa;  
City of Cambridge;  
McMaster University;  
Township of Nepean;  
Kent County Roman Catholic Separate  
School Board.

Your committee further recommends that copies of the Canadian Parliamentary Guide be purchased for distribution to the members of the assembly.

**Mr. Speaker:** Shall this report be received and adopted? Carried.

Motions?

Hon. Mr. Welch moved that when the House adjourns today it stand adjourned until Monday, March 29.

Motion agreed to.

Hon. Mr. Welch moved that the report of the Provincial Auditor to the Legislative Assembly for the year ended March 31, 1975, be referred to the standing committee on public accounts.

Motion agreed to.

## NOTICE OF MOTION NO. 2

**Clerk of the House:** The government notice of motion No. 2, Hon. Mr. McKeough:

Resolved: That the Treasurer of Ontario be authorized to pay the salaries of the Civil Service and other necessary payments pending the voting of supply for the fiscal year commencing April 1, 1976, such payments to be charged to the proper appropriation following the voting of supply.

**Mr. Deans:** Mr. Speaker, I want to say a word or two about this. The giving of the blank cheque to the Treasurer is always something that concerns members of the Legislature and of course that's exactly what we're talking about. We don't intend to oppose it quite obviously, because it may well be that a week Monday we'll be in the midst of an election and not have an opportunity to deal with this matter again.

**Mr. Lewis:** Well, I doubt it.

**Mr. Deans:** There are rumours drifting in this direction that that might not happen. Nevertheless, in the event that it does happen, it's obvious that the Treasurer has to have the necessary funds to pay the civil service and to continue the ongoing programmes.

I do want to suggest to the minister in this regard that, until such time as we come to the individual programmes of the various ministries, there's one matter I had hoped to raise within another discussion in the House and won't have an opportunity to do so, and for that reason I wish to raise it here.

The Premier (Mr. Davis) said today that perhaps there would be a setting-back of the date for hospital closings in the Province of Ontario. We in the Hamilton area don't anticipate any hospital closings as such, but we have been told there will be some bed reductions in the area, and the Minister of Health (Mr. F. S. Miller) has indicated those bed reductions are not necessarily for the reasons of a lack of funding, but because the beds are no longer needed for active treatment care.

There are approximately 2,100 beds in the area and the minister indicates that he might



be prepared to reduce that by 200. He handed the matter over to the local health council. They, in turn, gave it back to the Minister of Health because, frankly, they felt they were not in a position to make any recommendations that will effect any cuts at this time.

I want, therefore, to make a suggestion to the Treasurer (Mr. McKeough) which he might well pass on to his colleague, since his colleague is going to have to spend some of this money in putting into operation the programmes that he intends to have in effect as of April 1 before we get to dealing with his estimates in the House.

I want to suggest to the Treasurer that just as there is approximately a \$22,000 saving to be effected by the reduction of 220 active treatment beds in the Hamilton area, there is at this point a demonstrated need for some 360 chronic and nursing-care beds. It's my understanding that approximately 20 per cent of the hospital beds currently in use are, in fact, being used for chronic and nursing-home care. It's also my understanding that the average cost is about \$100 per day for active treatment, and that the cost for chronic and nursing-home care would range at the level of about \$30 to \$40 per day, depending on the degree of care made available.

I want, therefore, to suggest to the Treasurer that when he is making his moneys available to the Minister of Health he do so in the following way; that he say to the Minister of Health, "Yes we will approve the expenditures that you are asking for in the interim supply motion, but we'll approve it subject to you sitting down with the appropriate people in the city of Hamilton and working out a new arrangement whereby, if there is to be a reduction in active-treatment beds, there will be an appropriate number of nursing-home and chronic-care beds made available to deal with people who have a great need for that and for whom those beds are not currently available."

Now let me suggest this; if we were to make available 400 chronic and nursing-home beds in the Hamilton area in addition to those that are currently there, that would take up the 200 beds that have to be taken out of the active treatment area and would provide for 200 of the additional beds that would be needed for chronic and nursing-home care.

At this point in time, the saving in doing so, just on the 200 active-treatment beds alone, would be some \$12,000 a day, falling short of the objective of the ministry of \$22,000 a day by only \$10,000 a day.

In addition to that, by virtue of setting up these 400 chronic and nursing-home beds we would be able to meet an immediate need, we would be able to maintain employment at the current level within the various hospitals that we are talking about and we would, therefore, not further dislocate the people involved in providing health care in the area.

The 200 additional beds that would be made available would be used to provide for a demonstrated need. We are not asking for all 360 that are needed, but simply 200 of them.

I want to suggest further that the Treasurer discuss with the Ministry of Health officials who must make these decisions the possibility of using the facility at Chedoke Hospital, of leaving there a small but active emergency treatment facility; leaving there all of the facilities currently used for rehabilitation purposes, and then turning the remainder of that facility over to chronic and nursing-home care.

The effect of this would be that the 20 per cent of the active treatment beds currently in use and the variety of general hospitals would be no longer needed. Those people who are currently using those \$100-a-day beds could be transferred to the new facility at Chedoke into \$40-a-day beds. The staff that is currently on staff at Chedoke would then continue to provide the care. The staff that is currently available and being used in the general hospitals could be transferred to the Chedoke facility and we would find that if there was any, there would be very little dislocation of employment, that if there was a need for a reduction in employment that could be taken care of over a short period of time by the normal attrition process, and we would have met two needs and saved approximately the same amount of money.

I want to say to the Treasurer that my concern in health care is to make sure that we provide an adequate facility, at least in the Hamilton area and in my opinion throughout the province, to ensure that those who need care can get care within their capacity to pay.

I believe it is possible, with a programme similar to the one that I have outlined to the minister, that this could be done, at least for the Hamilton-Wentworth area. I am also convinced that there are many other areas, many other regions, which could do likewise. There is no need—in fact that would be folly—for the ministry to pursue the programme that it currently has of reducing the active treatment beds without providing adequate facilities for chronic and nursing-home care and without taking into account important factors. If you proceed with the reductions that you are

talking about, it will inevitably mean a reduction in the staff. If it means a reduction in the staff it will have an overflow effect on those people in the community who may well be considering the possibility of entering health care as a profession. Those people will be diverted—

[3:15]

**Mr. Speaker:** Order, please. May I point out that I believe the hon. member is discussing an entirely different subject?

**Mr. Deans:** No.

**Mr. Speaker:** We are voting supply here—

**Mr. Deans:** I know.

**Mr. Speaker:** —not discussing the advantages and disadvantages of nursing homes, or what have you.

Order, please.

I think it is proper to exemplify the voting of supply for such things, but to debate the case of nursing home beds vs. active treatment beds, it seems to me that's another field completely.

**Mr. Deans:** I would, on your interjection Mr. Speaker, put this to you: That between now and the day the Minister of Health's estimates are tabled in the House and dealt with, the Minister of Health will, by virtue of this motion, be given all of the money necessary to implement all of the programmes which he has indicated will commence on April 1.

**Mr. Speaker:** If I might point out, I agree that—

**Mr. Deans:** No, no.

**Mr. Speaker:** —it is a matter of voting supply for whatever necessary expenditures that have to be made.

**Mr. Deans:** And I have said that I am prepared to vote that supply on the following conditions: That the Treasurer put to the Minister of Health and his ministry that within that area these matters I am most concerned about be considered; and I think that's quite well within my rights. I think I am entitled to put to the minister that if he wants me to give him a blank cheque to spend money from now until such time as I have an opportunity to discuss the actual estimates of any ministry, then I am entitled to suggest to him there are certain things which have to be considered by that minister and the other ministers involved.

**Mr. Speaker:** Yes, I think the matter of the one type of bed vs. the other does not enter into it.

**Mr. Deans:** It does; it shows how to save money.

**Mr. Speaker:** It is a matter of voting supply. I agree you are illustrating it, so the hon. member may continue.

**Mr. Deans:** Thank you very much. I appreciate that very much, thank you. Now you have really done it, because I don't remember where I was. What was the last word; could you tell me?

**Mr. Renwick:** "But."

**Mr. Deans:** Which "but" was it, though? Oh dear, where was I? Maybe the Treasurer could tell me, since he was listening so intently?

**Mr. Ruston:** You were out of order, that's what happened.

**An hon. member:** Start over again.

**Mr. Deans:** I guess I will have to start over, because I can't remember.

Well anyway, without going into it any further, I will say this to the Treasurer: I am always reluctant, particularly since I've already indicated non-confidence in the government, to give him a blank cheque. I am reluctant to say to him: "Yes, go ahead and spend in whatever way it pleases, without any recourse to the legislative process"; at least not before the next election, assuming my colleagues from the Liberal Party proceed with their foolhardy amendment to the amendment.

I want to suggest to him that he should certainly make known to the Minister of Health that I make this suggestion in good faith. I make this suggestion believing full well that there is an opportunity for the government of the province to save money—which is what we are all interested in—while at the same time providing for all of the active-treatment bed needs; while at the same time providing for the chronic and nursing-home needs; while at the same time not dislocating the employment of so many dedicated people. I remember now where I was; thank you very much.

What I was saying was the Treasurer has to bear in mind that for a great many people who are currently either in school or in the process of entering schools related to social services and health, they may well be dissuaded, as a result of this government's ac-



tions, from pursuing that career. At some point within the next decade, he will be screaming and shouting at us, when we are in government, that there aren't enough nurses and there aren't enough people in social services. And it will be because the Treasurer and the Minister of Health and the Minister of Community and Social Services (Mr. Taylor), have effected cutbacks which are not well thought out; they are ill-advised.

So I say to the Treasurer, if he wants this money he has to undertake these kinds of things as a possible way of ensuring that the saving he is trying to get allows the provision of the health-care delivery system that we all think is so necessary in the Province of Ontario.

Beyond that, one final point dealing with the Minister of Housing (Mr. Rhodes) and the Minister of Transportation and Communications (Mr. Snow), it's small, but important to the area I represent. The Minister of Housing decided some time ago to build a HOME project on Saltfleet Mountain, as it was then known; it's now known as the town of Stoney Creek. The Minister of Housing built this some considerable distance away from any other built-up area and as a result there is no public transit. The city of Hamilton owns the only public transit system.

Neither the Minister of Transportation and Communications nor the Minister of Housing is prepared to enter into any subsidy programme to ensure there is public transit. I want to suggest that in the consideration of the expenditures of this government from April 1 until such time as we deal with Housing, or until such time as we deal with Transportation and Communications, some serious consideration be given to the plight of the people who are living in homes far removed from the normal routes of communication or transportation and who do not have any public transportation available to them.

With those two comments, which are parochial in nature, I say to the Treasurer he should spend this money very wisely. I hope maybe after April 1 we'll have an opportunity to look more closely at where he intends to raise the revenue in order to spend what he's been overspending and over-borrowing in the last number of years.

Mr. Nixon: Mr. Speaker, traditionally the motion has been put before the House each year which gives the Treasurer the right to spend the money put into the estimates

for the next successive 12 months in the fiscal year. Complaints have been put forward by opposition members and I believe, really, they have been echoed by supporters of the government—at least in general terms—that very few Houses give this sort of a blank cheque to the Treasurer—that is, one full year's supply. In this instance it might amount to something in excess of \$12 billion.

There are, of course, remedies available to this House during the period in which we are in session, that is in the fiscal year during which this expenditure would be authorized. But the feeling is very much in the minds of the members in opposition, and surely elsewhere, that our extensive debates on the estimates are a bit futile in that this motion approves the expenditure in total. I don't know of any other House in any democratic jurisdiction where the House is asked to approve such tremendous carte blanche responsibility on the part of the Treasurer without some adequate, let's say more easily understood and observed, safeguards.

I personally don't believe the motion itself should be a vehicle for extensive discussions as to precisely how the moneys are to be spent. But I would suggest that I feel quite strongly that our procedures should be patterned after other Houses where the members are asked to approve supply not in blocks of one year but perhaps on a quarterly basis. Some legislatures and parliaments do it more frequently than that.

I believe, as well, there is a possibility of an election in the next few weeks and a new parliament will be back here—it is quite possible it will be a new parliament, perhaps even a new government—examining the business of the House some time later in this year.

I would hope that the minister would give some consideration to following the traditions in other democratic parliaments by not asking for a full year's supply. It's true that the voting of supply has been used in the Parliament of Canada in the past—by the Conservative Party which was then in opposition—as a lever perhaps to extract from the government of the day certain concessions in matters of policy and administration. There have been chances, I suppose, that supply would run out because an intransigent opposition would refuse to vote supply until amendments to government policy came forward.

There are, however, political balances and checks in this connection. If the opposition



refuses to vote supply so that the public service is not paid or certain pensions are withheld, of course, I believe there is a danger of irresponsibility in that connection. Weighted against that, surely, is the unreasonable request from the government that this House be asked to give them a blank cheque for what will be in excess of \$12 billion.

It is true we will have ample opportunity to discuss in detail the expenditure of those dollars during the life of this Legislature or its successor, if in fact there is an election. But still it seems an unreasonable way for a democratic government to proceed. With that in mind, I would move an amendment to the motion, seconded by the hon. member for Huron-Bruce (Mr. Gaunt).

**Mr. Speaker:** Mr. Nixon moves that the words "for the fiscal year commencing April 1, 1976," in the third and fourth lines be deleted; and the following substituted, "for the period commencing April 1, 1976, and ending June 30, 1976."

**Mr. Nixon:** The motion would now read:

That the Treasurer of Ontario be authorized to pay the salaries of the civil service and other necessary payments pending the voting of supply, for the period commencing April 1, 1976 and ending June 30, 1976. Such payments to be charged to the proper appropriation following the voting of supply.

Now Mr. Speaker, if you will just permit me a moment or two before you put the motion. As I say, there will be ample opportunity for debate in this House, or another with other membership; there will finally be an approval of the vote of supply, usually in December of the calendar year; but I would suggest, sir, that this change, while in no way interfering with the responsibility the government has to meet its commitment, does leave a considerably greater degree of responsibility with the members of this House.

I would urge, Mr. Speaker, not only that the NDP accept the motion, but the Treasurer might well consider accepting it as well.

**Mr. Speaker:** Mr. Nixon's motion is now before us. Any further discussion on this? The hon. minister.

**Hon. Mr. McKeough:** Mr. Speaker, briefly: I am sure the member for Wentworth and officials of both the Ministries of Health, of Housing and of Transportation and Communications, who will undoubtedly read the Han-

sard of this particular discussion, will take the comments which may have merit so far as Wentworth and active-treatment and chronic-treatment beds are concerned into consideration in their plan-making.

I would simply say to the former leader of the third party that I have no objection to his amendment to our motion. I would point out, however, that the committee studying the report of the Camp committee on the Legislature is looking at exactly this. I frankly would prefer to leave that subject to their deliberations and to look at it a little bit more closely than obviously we are able to look at it here this afternoon. I am not sure when that committee will report, but that is one of the things they are deliberating on, about which they questioned the Chairman of Management Board (Mr. Auld) and myself when we appeared before the committee. Perhaps that aspect has not reached the former leader and the caucus, but that is something they are looking at and it seems to me it might have been more reasonable to leave this matter to the advice of what I will call the Morrow committee.

I would simply point out that all the arguments which the member for Brant-Oxford-Norfolk made, have been made on a number of occasions, and I might be so bold as to say more brilliantly and more eloquently by the former member for Sudbury among others. But I was glad to have this member's contribution to this ongoing debate. When he first entered the House, certainly when I first entered the House, the budget was introduced, the estimates were introduced, and they were all passed by March 30, and this particular motion was not necessary. I think this particular motion was introduced for the first time in 1965 or 1966, when overall approval was put beyond the date of April 1 and this became necessary.

**Mr. Nixon:** Do you recall whether or not it passed without debate the first time?

[3:30]

**Hon. Mr. McKeough:** The first time? No, I think the member for Sudbury, as I recall, talked eloquently, much more eloquently than the former Leader of the Opposition, about the right of Her Majesty the Queen to ask the assembly for money and—well, let's not go into that.

It should be pointed out that if we are trying to keep things in perspective, there has been a debate going on this week—it is not yet finished, it will be resumed again this afternoon as I understand it; it has



been going on in committee for the better part of a week—which has nothing to do with the estimates for the year ending March 31 next. All that debate, as I have heard it and read about it, has to do with the following year. I am speaking about the supplementary estimates.

So that the matters raised by the member for Wentworth, and in effect by the former Leader of the Opposition, are being debated under the heading of supplementary estimates; and I might say, Mr. Speaker, being very strict about it, it is completely out of order, because it is not the supplementary estimates that are being debated at all.

With respect to the Ministry of Health, for example, it is completely with respect to a policy or policies which presumably will be given effect in spending estimates beginning April 1, 1976, rather than for the year ending March 31, 1976, which is what the supplementary estimates are all about.

I would only point out one further matter, and that is—and I say this to the former Leader of the Opposition with respect—it isn't a blank cheque. The government fully laid out on December last what its spending plans were for this coming year. Those figures have been before the public. We went across this province. We tabled in the House a figure, I believe of \$12,512 million; it may have been \$12,520 million.

Those figures do change, the percentages change, but on every occasion I have said that as Management Board has completed its studies for the estimates, as there have been appeals to cabinet back and forth, and discussions, obviously the figures have changed somewhat. I can tell the member that I think the spending estimates which will be tabled—and perhaps a set of them may be tabled, I don't know, before the budget on April 6, there may be one book ready for tabling by the Chairman of Management Board—I can tell him that the total of the four books, the total which will show up in my budget, will be within \$100 million of that figure—

**Mr. Nixon:** What was the amount?

**Hon. Mr. McKeough:** It is \$12,512 million, as I recall it. There will not be a significant variation in any of the figures, I think it is fair to say, from the spending estimates which I tabled in the House last December and which have been discussed at some length across this province. I say that because, in effect, half of the budget became known on that date, and the other half—that concerning revenues and economic out-

look—will be known, the Lord willing, on April 6 in this House, at 8 o'clock at night.

I am anxious to read it and I hope hon. members are anxious to hear it. I have no trouble in accepting the amendment to my motion proposed by the member for Brant-Oxford-Norfolk, Mr. Speaker.

**Mr. Speaker:** Shall the amendment moved by Mr. Nixon carry?

Motion agreed to.

**Mr. Speaker:** The motion, as amended, is carried.

Introduction of bills.

#### AUTOMOBILE INSURANCE RATE CONTROL BOARD ACT

Mr. Swart moved first reading of bill intituled, An Act to establish the Automobile Insurance Rate Control Board.

Motion agreed to; first reading of the bill.

**Mr. Swart:** The purpose of this bill, Mr. Speaker, is to freeze automobile insurance rates, effective Jan. 1, 1976. The bill also establishes an automobile insurance rate control board which would have the power to approve and adjust automobile insurance rates in recognition of the savings accruing to insurance companies from seatbelt use and reduced speed limits, and to conduct public hearings dealing with rate increases.

#### KENT COUNTY ROMAN CATHOLIC SEPARATE SCHOOL BOARD ACT

Mr. Spence moved first reading of bill intituled, An Act respecting the Kent County Roman Catholic Separate School Board.

Motion agreed to; first reading of the bill.

#### TOWNSHIP OF NEPEAN ACT

Mr. Morrow moved first reading of bill intituled, An Act respecting the Township of Nepean.

Motion agreed to, first reading of the bill.

#### TOWNSHIP OF WICKSTEED ACT

Mr. Warner, on behalf of Mr. Wildman, moved first reading of bill intituled, An Act respecting the Township of Wicksteed.

Motion agreed to; first reading of the bill.

## LABOUR RELATIONS AMENDMENT ACT

Mr. Haggerty moved first reading of bill intituled, An Act to amend the Labour Relations Act.

Motion agreed to; first reading of the bill.

**Mr. Haggerty:** Mr. Speaker, the purpose of the bill is to provide a mechanism whereby the minister can order parties to a strike or lockout to end the strike or lockout for a period of 60 days, during which time the parties try to reach a settlement.

## GOOD SAMARITAN ACT

Mr. Haggerty moved first reading of bill intituled, An Act to relieve Persons from Liability in respect of Voluntary Emergency Medical and First Aid Services.

Motion agreed to; first reading of the bill.

**Mr. Haggerty:** The purpose of the bill is to relieve persons from liability in respect of voluntary emergency medical and first aid services.

## SAFETY COMMITTEES ACT

Mr. Haggerty moved first reading of bill intituled, An Act to provide for the Establishment of Safety Committees.

Motion agreed to; first reading of the bill.

**Mr. Haggerty:** The purpose of the bill is to establish a safety committee which shall have equal representation from both employers and employees in the industry and that employees will have an input respecting their safety in industry.

## BOROUGH OF SCARBOROUGH ACT

Mr. Leluk, in the absence of Mr. Drea, moved first reading of bill intituled, An Act respecting the Borough of Scarborough.

Motion agreed to; first reading of the bill.

## CITY OF CAMBRIDGE ACT

Mr. Davidson moved first reading of bill intituled An Act respecting the City of Cambridge.

Motion agreed to; first reading of the bill.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 27th order, House in committee of supply.

## SUPPLEMENTARY ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

(continued)

**Mr. McClellan:** On a point of order.

**Mr. Chairman:** On a point of order, the member for Bellwoods.

**Mr. McClellan:** I would like to remind the Chairman that when we adjourned the House at 6 o'clock last night the Chairman ruled that he would recognize the member for St. George (Mrs. Campbell) as the first speaker when we went back into committee to discuss these estimates further.

[3:45]

**Mr. Chairman:** I am aware of that commitment. I understand the minister hadn't completed his response to the opening remarks of the member for Bellwoods, but there was a commitment by the Chair that the first speaker, when we resumed consideration of these estimates today, would be the member for St. George. Unless I hear some very strenuous and compelling reasons why that commitment shouldn't be upheld, I will recognize the hon. member for St. George.

**Hon. Mr. Taylor:** May I say that naturally I must comply with the Chair's ruling, but I want to make it abundantly plain that I had hoped to reply fully to the member for Bellwoods prior to the Liberal critic making her remarks. However, apart from the fact that now that reply will be separated from subsequent remarks, I can't offer anything more compelling than that. I am at the mercy of the Chair and, naturally, I will abide whatever the Chair rules, but I want to make it abundantly plain that I have not finished responding and I wish to have that opportunity.

**Mr. Chairman:** You will be given an opportunity to complete whatever comments you still had. In view of what happened yesterday in the lead-off, I would say there was a far-ranging debate on all the activities of the Ministry of Community and Social Services—far wider, I must say, than anything anticipated by the Chair. With that in mind and with the co-operation of the member for St. George, she has the floor.

**Mrs. Campbell:** Mr. Chairman, I sat and listened to the statements by the critic of the opposition and I intend to take advantage of this opportunity to develop my overview in the same way as that accorded to that member. I regret the minister did not conclude



his remarks, but when I yielded to give him the opportunity, I believe he made a commitment to me that he would not be unduly long and, without meaning to be provocative, I found him interminable. That's all I can say.

**Hon. Mr. Taylor:** I could say the same about you.

**Mrs. Campbell:** I am sure.

During the course of the minister's remarks, he spoke with pride of the welfare programmes in this province. I think the people of the province have had an opportunity to have some pride, particularly in the Metropolitan area, because there the creative kinds of programmes were developed by the municipal government.

I would point out to this House that this is one of the few provinces which require the municipal government to participate financially in the general welfare assistance budgeting. Of course, therefore, when the minister makes his remarks—and I don't know that anyone yet understands what his remarks are—as to just what portion he is going to pay even of that programme, certainly it means that the municipalities are going to have to cut back on those very programmes.

It has been said so many times that if you are in public life and you leave it and are gone for 10 years, you will probably come back and debate the same things you were debating 10 years ago. It is interesting to me, when I look at the cutbacks here to see the kinds of things that Metro is going to have to cut back; dental programmes, for example. I can recall vividly having before us at Metro some dentists from the University of Toronto, who indicated that what we were doing at that time was barbarian. At that point all we could do was remove teeth, even healthy teeth. We could not fill them, we could not do any correctional work. Now, apparently, by reason of the lack of planning policies of this government, we are going to be back in this same position.

I suppose, Mr. Chairman, as a simple person, I will be permitted the opportunity to draw some parallels in some of this budgeting. I am delighted the Minister of Government Services (Mrs. Scrivener) is here, because when one is discussing services to people and services to plants we aren't really discussing the same thing. I would like her to understand that—since undoubtedly she does not understand it—and we believe it's a matter of priority.

I refer to a Globe and Mail report which was dated Jan. 23, 1976. I recognize that

some things have changed since then, but it's interesting that at that time Godfrey—whom I take to be Paul Godfrey, not notably a radical—stated to the minister: "Your law forces us to make these payments, but when you cut back the portion you pay, you force us to increase our payments from 24.8 per cent to over 29 per cent".

So much, then, for the legal position of this government in dealing with the matter of its proper apportionment between itself and the Metropolitan municipality.

But interestingly enough in that same article, Ray Tomlinson, the Metro social services commissioner, stated that Metro may have to cut the item for dentures and dental care, which I've already mentioned. And I would like to draw your attention to an item of \$65,000 for eyeglasses. That to me is an important and vital matter; and it's interesting to me that the Minister of Government Services could expend \$67,500 to refurbish the vice-regal suite in the light of that statement.

Then we see that the \$10,000 for summer camps may have to be cut. It's interesting that again that same minister would give priority—because that's what it amounts to—to purchasing 429 tropical plants for an office of Transportation and Communications, at an expenditure of \$19,000. Then so that we wouldn't overwork any of our civil servants, we provided a programme for the care and feeding of those plants at a cost of some \$30,000 over a two-year period.

I think, Mr. Chairman, this is what it's all about as we discuss this minister's programme. It is a matter of priorities, a matter of commitment to services to people—necessary, vital services to people.

The minister has spoken about the \$6 million for new daycare centres, but nowhere has he discussed the fact that that \$6 million has been used over and over again in the estimates. It's left over because it wasn't used before. But we're going to hear about that ad nauseam, and he is not levelling with the people of this province when he keeps on using it.

He denied it yesterday—but he didn't deny the article as it appeared in the press; he did not rise on a point of privilege to correct it—and it was quite clearly stated that he said mothers ought to go to work. That's his position. He hasn't said that in the Metropolitan Toronto area there are 35,000 children, under the age of 12 who are children of single-parent families, and that there are only some 6,682 places—I believe that is the figure—



for those children in the metropolitan area. I suppose we can find sky-hooks or something for them. But this a plan; this is a programme? Forget it.

He spoke about the fact that he has 11 officers in Manpower offices. I do hope he will elaborate on that, because I would like to know whether these are additional members of his staff or members who have simply been allocated to these offices. In the course of the discussion in this House about these single parents, these mothers, he mentioned—I hope, somewhat out of context—the word “Teperman.” It’s most interesting to me. Teperman—uh huh? It’s most interesting to me that this minister believes he is going to be able to match people to jobs.

You know, when I was early in the field of welfare at the city, I had such dreams. I spent summers going down through industries trying to arrange something whereby we might match people to jobs and help people to get into the productive market. Teperman’s is one place which had jobs. I had men who were on welfare—unemployed employable men who did want to get jobs. I can recall going to the then commissioner of welfare at Metro and asking whether we could provide the safety boots, if we could get these men involved and if they were interested. We even went that far to say, yes, we would. But when those men showed up for work the problem was they couldn’t meet the physical specifications for the job. They were unemployed employables, but there were limitations to what their employability was. Yet the way this minister states it, one would think that we could just roll it out and we would have people in the job market.

[4:00]

Certainly, I don’t know where we’re going to find the jobs for these women who are single heads of families, even if we had the day care. What does this profit us if we have a mother of five children and she can command \$80 a week—what does it profit any of us? I suppose that we could take the young people out of school, as the minister seems to suggest. But what is the cost in the long run if we don’t have these young people educated? What does it do but prolong the welfare cycle?

I have an article from the Barrie Examiner: “Homes For The Aged—Fatal, Grim Year.” The article asks the question as to how we get around the increased costs for fixed items and still stay within the 5.5 per cent increase? I’m quoting Peter Laidlaw, the administrator of the IOOF home for the

aged in Barrie: “If the government is going to hold us to that, I don’t see anything else but to cut staff and programmes.”

If they cut staff they may well be in great difficulty in some of these homes, because staff is needed. These are old people, and most of them are there because they need some kind of caring. I had the opportunity not too many weeks ago to visit one of my own riding’s homes and to deliver on behalf of the Premier (Mr. Davis) and, hopefully in some respect, on behalf of myself, a plaque to a lady who was 105 years old. It is true that she had lived on her own in the community until the year before, but she’s in there and she’s very active and she’s very independent. It’s that very independence of some of these people which creates problems for themselves; and without staff we could see some tragedies in these places.

But what does it matter to a government that cares so little about these human needs and puts, as my colleague said the other day, plants ahead of patients?

**Mr. Riddell:** And a price tag on people.

**Mrs. Campbell:** There is no question that some of these programmes are costly, but let me tell you, Mr. Chairman, it may be even more costly if we don’t have the programmes.

I had mentioned day care before and I had mentioned the fact that it is a desire to have women work. I’m going to refer back to the same article in the Globe and Mail of Jan. 30, which discusses a blind lady who has no place to send her two-year-old daughter while she works, because the Ontario government cutback on Metro social services will deny her day care. She applied for day care in order to go to work for the Canadian National Institute for the Blind. So she can’t go. I wonder just where this ministry feels it is accomplishing either economy or social solutions.

We hear about the possible closing of Hilltop Acres, which accommodates 200 senior citizens. What does it matter to a government which is unthinking and insensitive to the needs of these people? If you could listen to some of the older people in this community. On the one hand we want to keep people in their own homes because it is overall less costly, but let’s keep them there and cut out all the services that make it possible for them to stay. Meals on Wheels is a real off-the-top-of-the-head kind of project to remove in time of restraint. I wonder what kind of economist is looking at that kind of a programme.



I would like the minister to explain to me—correct me if I am wrong in the information that I have—why certain salaries of homemakers, for example, appear to be frozen at a time when, at least in this area, it has become increasingly difficult to get women into this field because they can earn more clerking in stores, for shorter hours, and the work is not as difficult. Why should they stay in the homemaking service? And yet surely again, that is a vital service to people in the homes, a vital service in maintaining some kind of existence for such people.

I suppose the minister will make a comment at last on his precise legal position with reference to municipalities. I would like his explanation as to why he thinks Metro should bear 29 per cent of the cost, rather than 20 per cent. I really don't think he should stand up in this House and explain that he does not think they will need the budget which they have provided for.

A welfare budget is something like a snow removal budget in a municipality. You never know. You just never know. This year I'll lay you odds there have been some problems in municipalities in coping with snowfalls which they didn't anticipate. But this minister says, "With our new guidelines we are not going to have to worry. We are not going to have to worry and municipalities don't have to worry. They won't have the kind of loads they anticipate."

Municipalities are in a position in which they have to estimate with a degree of reality because they can't get into the position of deficit financing. The thing that is so difficult at this point in time is that we probably won't know the full story about these cutbacks until, likely, February or March of next year.

It is to be wondered what happens at that point in time when municipalities present their proper, legitimate bills for their services—mandatory services to people—and the minister—I can just see this minister, can't you—would delight in saying "Sorry, old boy, you've exceeded your allocation by this ministry. Find the money yourself."

That is precisely what municipalities are so deeply worried about today. Believe me, when Paul Godfrey comes out worrying about it, you've got to know there is a real worry.

**Mr. Lawlor:** You're darn right.

**Mrs. Campbell:** Right? Yes. It is most unlikely that he would ever say anything at all that might in any little way embarrass this government. He must have been driven to it.

I am not going to cover those items which have already been covered by the critic for the opposition, just in the interests of time, but I do feel that I must speak of the children's aid programme just slightly. I recognize that the minister has apparently given a reprieve to the Metro Children's Aid Society.

**Mr. McClellan:** Seven per cent isn't exactly a reprieve.

**Mrs. Campbell:** Well, it's a little better than 3.1. The real problem with this kind of a programme goes even deeper than the financial one. What this kind of a programme does is to set agency against agency, to make them compete for the dollar instead of being in a position of trying to be supportive together. I think we saw that in the early statements coming from the Catholic Children's Aid Society. It was interesting to me, though, to find that notwithstanding their very gallant stand that they would indeed live within the 5.5 per cent, they couldn't do it. Perhaps when they were able to demonstrate that they needed far more than the 5.5 per cent, it was then that the minister was no longer able to use them as a kind of alibi in making Metro Children's Aid the whipping boy in this service.

[4:15]

One of the things that bothers me again is the economics. The Metro Children's Aid Society has a programme and it's a preventive programme. While I'm not satisfied that the costs are truly adequate, they are and have been able to provide for a child in a home at \$3 a day. That is the kind of programme that will have to be cut even now under this cutback. But if that child is taken into care the cost in care will be a minimum of \$13 a day instead of \$3. I don't know whether that strikes anybody here as making any sense at all if we're talking about restraint, but it's always that kind of a programme that gets cut.

One of the things that has bothered me for some time is the whole matter of the group homes. I suppose it has bothered me because the group homes which look after girls in our society usually work out to be more costly in dollars than the group homes for our boys because the girls are so much more damaged for the most part and because they need a more sophisticated staff and a lower, tighter ratio of staff to child. It's possible that that's the service that will be cut for group homes because if we can care for more people cheaper maybe that is

the approach we have to take when we look at services to young people.

If only the Provincial Secretariat for Social Development—that whole secretariat—could have proved its worth by taking the costs of services such as Children's Aid and looking at the cost of special education where there hasn't been any agency assistance or support; looking at the cost of correctional institutions—they couldn't ask this minister to get involved in examining that; looking at the cost to health, then maybe we could come closer to a decent approach, a human approach. Yet the only thing that counts with this government is the monetary solution. Even there, we might at least save money if we put together the services that are so desperately needed, but no.

Mention was made of family services and I'm not going into the fact of the loss of a camp for the disabled child. That's a good programme to cut, and that's the programme that will be cut. Here again is this strange dichotomy where the left hand of this government doesn't know what the right hand is doing, because they want family services to take on more of a role in the community. Of course, now there's really no excuse for it because the policy of returning the mentally retarded to the community and thus calling upon family services to assist is now in this ministry. But to cut the life-blood of that kind of an agency and expect the service!

I think the agencies should be very proud of the fact that this ministry expects so much of them, relies so heavily upon them. It reminds me somewhat of a story of a friend of mine who had had a great many problems and she said, "You know, it gets more difficult to bear these problems. People keep saying to me, 'the back is made for the burden. Your shoulders are broad, you can handle it'." She finally said, "That's all very well but I wish the good Lord did not have so much faith in me."

I think the agencies are taking that position today, because they feel this government really has too much faith in their ability to create miracles.

It's very interesting that this government also has great faith in the municipalities. It counts on the fact that municipalities will not cut services if they can possibly avoid it, because municipalities are close to the people and they understand their needs. The inevitable conclusion, of course, is that they must increase their taxes. The people and pensioners concerned, the senior Jewish clubs, the senior citizens clubs, are saying, "Why place

that additional burden on us, those of us who own our own homes or live in rented property, because it only makes it tougher for us to live?"

Why is it that this government has never followed the example of those other provinces which do not require the municipalities to pay for general welfare assistance? I perhaps **could not expect this province to lead**, but surely it could follow, and leave to the municipalities—if that is what they want to do—the provision of those services which add, if we may call it, a more abundant living to people. But no, we mustn't do that. We must cut back and we must cut back on all those services which make it possible for people to live rather than to exist.

I could go on. I could read to you from all of these articles which I have here, but what is the purpose? We could talk on and on and on about the lack of decent nutrition. We could talk on and on and on about the disabled in our community but what useful purpose would be served?

It was interesting yesterday to hear the Premier (Mr. Davis) say the opposition parties are creating an unnecessary election, but he didn't say that he was prepared to withdraw from the intransigent position of this government in services to people.

Perhaps now the minister may reply to both of the opposition critics. I trust that his answers would be explicit and not the usual rambling that we have been hearing in this House. But I repeat that it's possibly only coming from the mind of a very simple person.

**Hon. Mr. Taylor:** I won't make reference to your last remark.

**Mr. Riddell:** Don't touch it.

**Hon. Mr. Taylor:** I may say "uncomplicated" but I'll not say "simple." So if my remarks are rambling it will only be because I am following the sequence and the subject as they are presented and as they have unfolded in the Legislature. I will, of course, proceed with my reply and comments in that order.

Going back to yesterday, we left off in the area of general welfare and the question of tax-backs of moneys that would be earned or could be earned by welfare recipients. My friends from Bellwoods (Mr. McClellan) and Sudbury East (Mr. Martel), the present and previous critics of the New Democratic Party for this ministry, accuse me of not stating the provisions of the General Welfare Assistance Act insofar as they applied to the payment—



**Mr. McClellan:** It's discretionary; you tell me where it is different?

**Mr. Chairman:** Order, please, the hon. minister has the floor.

**Mr. Foulds:** On a point of order, Mr. Chairman.

**Mr. Chairman:** What is your point of order?

**Mr. Foulds:** There is no quorum, Mr. Chairman.

The Chairman ordered that the bells be rung for four minutes.

[4:30]

**Mr. Chairman:** We now have a quorum. The hon. minister may continue.

**Hon. Mr. Taylor:** Mr. Chairman, I made mention of the fact that the members for Bellwoods and Sudbury East were uninformed in terms of the provisions of the General Welfare Assistance Act, and for their edification and information I might refer them to section 12 of that Act, and I'll quote in part:

The welfare administrator may exempt, (1) an amount up to a maximum of \$50 monthly for a single person or up to a maximum of \$100 monthly for a head of a family, and (2) an additional amount up to a maximum equal to 25 per cent of the amount by which his wages, salary, casual earnings or the net income from an interest in or operation of a business exceeds the monthly exemption to which he may be allowed under subsection (i).

In other words, there is that provision for exemption of income to those amounts under the General Welfare Assistance Act, as it is mandatory under the provisions of the Family Benefits Act. I thought that should be clarified in view of the contrary position taken by those members.

Mention was made by the member for Bellwoods that there is a problem of jobs and not welfare abuse. Certainly, I alluded to a tightening up of certain regulations and criteria in connection with the General Welfare Assistance Act and those regulations are expected to come forward by the end of this month. There is the dismissal of any change by my friend, who implies that no tightening up or change is necessary. I may say that the present general welfare assistance regulations stipulate that in order to be eligible—

**Mr. McClellan:** Have you 25,000 jobs up your sleeve?

**Hon. Mr. Taylor:** —an applicant or recipient must be willing to accept regular full-time employment for which he is capable. I am saying that not all jobs are regular and full-time. There are employment opportunities in Ontario which may be regular part-time, periodic full-time, or simply part-time. I know that statistics were quoted by your leader to which you alluded, then adopted, to indicate that in 1975 there was a monthly average of 8,700 employable single males on the general welfare assistance rolls. They were supposedly there as a result of their inability to obtain regular full-time employment. The question to consider, in my estimation, is whether a single employable male needs to remain on general welfare assistance if the other job alternatives I have outlined are open to him.

**Mr. McClellan:** A day in the scrapyards.

**Hon. Mr. Taylor:** If a part-time job is available and the applicant is able to do it, he could avail himself of that opportunity. If necessary, his earnings would supplement the social assistance until he can return to full-time employment.

I see nothing wrong with that. You object but, of course, I'm not surprised at that objection.

**Mr. Warner:** Where are the jobs?

**Hon. Mr. Taylor:** Your leader also made reference, as you have, to 13,300 single females, 4,000 of whom are employable. I don't know whether you find anything wrong with the approach that these women should avail themselves of the employment opportunities for single males that I have outlined.

**Mr. McClellan:** A day in the scrapyards.

**Mr. Warner:** Where are the jobs?

**Mr. Makarchuk:** Where are the jobs?

**Hon. Mr. Taylor:** The fact remains that you continue to confuse—and I think deliberately so—the requirement of full-time regular employment with the proposition of part time or casual employment.

**Mr. Makarchuk:** You tell us where the jobs are.

**Hon. Mr. Taylor:** You do not subscribe—

**Mr. Makarchuk:** I'll send you the people and you find them the jobs.

**Hon. Mr. Taylor:** —to the work ethic and you refuse to acknowledge it. There is no way that I convince you of it.

**Mr. Warner:** Drake Personnel will find them jobs.

**Hon. Mr. Taylor:** There is no way I can convince you of it. You're dedicated in your opposition to the work ethic.

**Mr. Burr:** We don't believe in work!

**Hon. Mr. Taylor:** Again, the member for Bellwoods once more alluded to the cut-backs on work activity projects. I won't repeat what I said yesterday in terms of the moneys that were allocated in the budget for work activity programmes. I cited a figure in excess of \$1 million at that time which involved something over 16 programmes.

**Mr. McClellan:** One million dollars out of \$1 billion.

**Hon. Mr. Taylor:** It's up to the municipalities to implement those. We also have worked with three municipalities who were interested in assisting the working poor. We have those programmes, as you know, under way in Metropolitan Toronto—

**Mr. McClellan:** Can you force them to cut back?

**Hon. Mr. Taylor:** —in Peterborough and in Ottawa-Carleton. You call that kicking people when they're down. What we're trying to do is to assist people back into the work force.

**Ms. Sandeman:** There are no women in the Peterborough programme.

**Mr. McClellan:** Your programme is useless.

**Mr. Makarchuk:** You're not doing a darn thing.

**Mr. Warner:** Did your speech come from Drake Personnel?

**Hon. Mr. Taylor:** Again, reference was made by my friend to the Children's Aid Societies. As that has come up on a number of occasions, I will deal with that in a moment.

**Mr. Davidson:** You don't have any friends in the Children's Aid Societies.

**Hon. Mr. Taylor:** The accusation levelled by the opposition is that I have proposed that comfort allowances be confiscated. May I explain, as they may not understand, that in homes for the aged the payment for care for accommodation is paid by the resident if he can afford to pay it. If he has the financial resources to pay for his own accommodation, that's paid—and that is drawn down to the

sum of \$2,000. That is his money and there was never any suggestion that that money be attached in any way.

However, it has happened in this province that the moneys that have been paid to residents of old age homes have accumulated in trust accounts. May I explain that a little further? There is a separate account or trust account set up for residents for their own spending. That is usually the sum of money that is residual to his own contribution from his pension payments or GAINS' payments he may receive.

In many cases, because of such things as senility, people have not been able to spend those moneys. It is estimated that something around \$10 million exists in the province in trust accounts which cannot be spent to assist the residents or help them with his accommodation expenses.

The administrators of old age homes have suggested to me that those moneys might be paid toward the keep of residents in homes, of course provided that those persons would be allowed to accumulate the sum of \$500 prior to the attachment of those funds. That was the proposition. Of course, if a person is ambulatory and able to spend his comfort allowance, it would be spent and there would be no question about it. If he wanted to save that comfort allowance to buy himself a television set when he earned \$500, he could spend it. There is no question about that.

The question arose about funds accumulated which could not be spent because the person was not able to spend them—he was not mentally competent, and he had no need for the money.

**Mr. McClellan:** How could he buy a television set then?

**Hon. Mr. Taylor:** Therefore, the suggestion was made that these moneys might better be paid toward his keep in the home rather than go to the estate of that person when he died, and possibly be distributed to his relatives. That was the proposition. There was no question of confiscation of comfort allowances in general terms—and I thought you should know that

**Mr. Warner:** You put the squeeze on those who cannot afford it.

**Hon. Mr. Taylor:** There is no question of putting the squeeze on those who cannot afford it—and you know it! Do you understand what it costs to accommodate people in these types of residences? Do you understand what their contribution is?



**Mr. Hodgson:** He wouldn't know.

**Hon. Mr. Taylor:** You don't have any concept.

**Mr. Warner:** You directed it.

**Mr. Chairman:** Order, please. The hon. member for Scarborough-Ellesmere will have an opportunity later on to participate in the debate. Will the hon. minister ignore his interjections and carry on with his reply?

**Mr. Riddell:** Right on, Mr. Chairman.

**Hon. Mr. Taylor:** The mention was made, or the accusation levelled by the member for Bellwoods that the elderly persons centres would be cut off, or financial assistance to them would be eliminated—and that is not so at all. He should know, as a social worker for some 12 years, that my ministry makes grants up to \$15,000 for operational purposes for those centres.

**Mr. McClellan:** I said the action age grant would be eliminated; don't misquote me.

**Hon. Mr. Taylor:** There is no question that those—

**Mr. McClellan:** On a point of order.

**Hon. Mr. Taylor:** Is there a point of order, Mr. Chairman?

**Mr. McClellan:** On a point of order, Mr. Chairman. The minister has misquoted me. I said the action age grants would be discontinued. I said the elderly persons centres funding would be curtailed and curtailed severely. Just so that you understand.

[4:45]

**Hon. Mr. Taylor:** Well, just so that you will understand, maybe my friend can check Hansard. My notes certainly refer to elderly persons status. There was no mention made of the action age grant. The action age grants, of course, are up to a maximum of \$400 that were paid to the senior citizens clubs, and we've spent something in the area of \$200,000 in the past fiscal year for those action age grants. What we're talking about are payments to elderly persons centres which may be up to \$15,000, and while I've stated that there are no new capital moneys in terms of expansion for capital projects of centres, nevertheless, the operating moneys are intact and, of course, will be paid.

Similarly, the reference to senior citizens homes or homes for the aged—certainly, there are homes under construction and there are additions to new homes that are progressing.

They will be built in the current year, but, of course, new capital will not be allocated for those four homes.

Mention was made of the visiting home-maker services, and again, these are services purchased by the municipalities and the critics should understand that. It's up to the municipalities in terms of determining their priorities as to whether or not they wish to continue on and to what degree with homemaker services.

**Mr. Makarchuk:** Not all of them. You should understand something—

**Hon. Mr. Taylor:** And that is, of course, up to them. They will be getting as much money as they did the year before and an additional 5½ per cent, and you can hardly call that a cutback.

**Mr. McClellan:** Point of order, Mr. Chairman. If I may refer the minister to Hansard for yesterday afternoon's debate, draft copy, page 364-1: "You reduce the effective level of funding for elderly persons centres."

**Hon. Mr. Taylor:** That's right. You didn't make mention of action age grants. You were talking about elderly persons then.

**Mr. Martel:** You said he reduced them.

**Hon. Mr. Taylor:** And as previously, we will be paying up to \$15,000 grants, as we did in the previous fiscal year.

Mr. Chairman, if I may continue, the member for Bellwoods mentioned mental retardation. The question of the whole transfer to community based boards, that system has been outlined. Reference was made to this as being grotesque and that the money was being used to add additional institutions. I would like to point out very forcefully that the institutions referred to as Northeastern, Burwash and Goderich were pointed out as just another institution, and I presume my friend was referring to schedule 1 facility. Is that correct?

First of all, your friend and colleague next to you, from Sudbury East, knows very well that it was never the intention of my ministry to create a schedule 1 facility or any other institution at Burwash.

**Mr. Chairman:** It may help the hon. minister to direct his comments through the Chair; then it wouldn't provoke any interjections from members opposite.

**Hon. Mr. Taylor:** Yes, Mr. Chairman. I do not wish to be provocative and I hope my remarks are not being interpreted in that way.

**Mr. Davison:** Nothing could help the minister.

**Mr. Warner:** Your very presence is provocative.

**Hon. Mr. Taylor:** The accusation was levelled at my ministry that Burwash was being used as a schedule 1 facility,—

**Mr. Angus:** His existence is provocative.

**Hon. Mr. Taylor:** —as another institution. In fact, the proposal in that Sudbury area was made by the community, and the member for Sudbury East was an advocate of that proposal. It was with reluctance that my ministry would consider the utilization in any regard to Burwash as accommodation for the mentally retarded. It seemed to me that the image of a former penal institution or correctional institution was not the appropriate one to accommodate the mentally retarded. It was only after a great deal of pressure from the community and from the member for Sudbury East that I acquiesced to this extent, that there would never be an institution there, that there would be some accommodation provided in that complex at Burwash only if it was a part—and a small part—of a greater complex of developments which would provide a more normal type of setting.

In other words, if there were other residential and commercial complexes, which would really be the community focus, any housing for the mentally retarded would be in conjunction with that. It would only be an interim step from there to full integration with the community. That's something which I think should be made abundantly clear to the member for Bellwoods (Mr. McClellan), through you, Mr. Chairman.

The situation at Northeastern and Timmins again was a proposal for a resource centre. There was never any suggestion, and it will not be, an institution for the mentally retarded or a schedule 1 facility. My ministry and I sat down with the district working group in connection with the proposal for Northeastern and the concept, of course, is just that—a resource centre which will reach out and service a very broad community. There will be diagnostic and other services. There will be short-term residential care; assessment; diagnostic services; and so on—the whole concept of a resource centre as opposed to an institution. It was that concept which was agreed upon and supported in advance by the district working group. It is only on that basis, again, that we are proceeding at Northeastern.

Goderich, I must say, is a different situation. Goderich will be a centre which will, in effect, be a schedule 1 institution, the only one there is.

**Mr. Riddell:** Not sanctioned by the Ontario Association for the Mentally Retarded, either.

**Hon. Mr. Taylor:** The reason for that is very simple. There has been criticism in the past, as you know very well, of the size of some of the schedule 1 facilities in this province. I make reference to Smiths Falls and to Orillia.

If we can draw down and take the pressure off those large institutions and make a better setting for some of those residents, if we can place residents closer to their homes, I think that's a forward step. It's not a step toward greater institutionalization. As a matter of fact, it's a step away from institutionalization because our whole concept, our whole philosophy, is to ensure that we have de-institutionalization and a programme toward normality.

We want integration with the community. That is what we're doing and our whole programme demonstrates that. I think that everyone who has any knowledge in this field will acknowledge that we've made tremendous strides in the last few years in that regard.

With respect, the critic for the opposition should have knowledge of that. I think now he may have, hopefully, a better understanding of what we are doing and what our concerns are and what our programmes are in that regard.

**Mr. McClellan:** Tell that to the association.

**Hon. Mr. Taylor:** Not only do we tell it to the association, we consult with the association.

**Mr. McClellan:** You tell them—

**Hon. Mr. Taylor:** We're involved with the district working groups and the associations—

Interjection.

**Hon. Mr. Taylor:** —which are integral parts of the working groups which, of course, manifest the community involvement in a large spectrum of services. You should know that.

**Mr. McClellan:** I know exactly what the association thinks of you.

**Hon. Mr. Taylor:** You don't know and maybe if you listen you'll learn. Further—



more, in terms of the 5.5 per cent increase over the previous year, as it applies to the whole area of mental retardation, it is meant to apply to existing programmes as they exist now. In other words, if there is a programme in place and there's no expansion of that programme contemplated, of course they are expected to comply with the overall parameters of government spending and the guidelines which have been set down.

**Mr. Martel:** Even if they went in the hole last year?

**Hon. Mr. Taylor:** However, may I reiterate and reinforce a view that has been expressed by me and the Premier of this province (Mr. Davis)? When the field of mental retardation was transferred from the Ministry of Health to my ministry, we made it abundantly plain that because of cost-sharing we would ensure that the additional funds we received through cost-sharing were used in the field of mental retardation to expand those facilities and to ensure that we carried on with the philosophy as manifested in the Williston report.

This government committed itself to that and that is being done. For that reason, when it comes to new programming, to an expansion of the physical plant or facilities relating to the field of mental retardation, and these do not come within the parameters of 5.5 per cent, we are allowing additional funding for those purposes because of that commitment that this government made and which it respects. I think you should know that.

**Mr. Warner:** That's why the \$52 million went into general revenue.

**Mr. Riddell:** You had to justify the cost-sharing funds that you get from the federal government.

**Hon. Mr. Taylor:** Not at all, not at all. If you look at the spending on mental retardation in this ministry, you will see a tremendous increase over the last few years. Those additional funds are being put into this whole area.

**Mr. Martel:** Every cent of the federal funding.

**Hon. Mr. Taylor:** You understand nothing about finance or accounting, and all you are doing is regurgitating in garbled form incorrect conclusions that other members of your caucus disgorged in the past.

**Mr. Martel:** Could I ask the minister a question? Would the minister accept a question?

**Hon. Mr. Taylor:** Mr. Chairman, may I proceed?

**Mr. Martel:** You won't answer.

**Hon. Mr. Taylor:** You will have your chance and I will answer you. You will have your chance—

**Mr. Chairman:** Order, please.

**An hon. member:** Come on, Elie. You are still entrenched in the school board.

**Hon. Mr. Taylor:** You will have a chance when the next budget comes down. In my estimates, you'll see—

**Interjections.**

**Mr. Chairman:** Order, please. Will the hon. minister proceed?

**Hon. Mr. Taylor:** —what this government is spending in the whole field of mental retardation. It may shock some of you what we are doing. We are putting in a lot more money than we are getting back from the federal government in terms of cost sharing.

**Mr. Deans:** By the time the next budget comes down, they won't be your estimates, hopefully.

**Hon. Mr. Taylor:** I won't make reference to that because it might touch pretty close to home. Mention was made of the child welfare—

**Mr. Riddell:** Are you speaking of yourself now?

**Hon. Mr. Taylor:** Mr. Chairman, may I complete my remarks?

**Mr. Chairman:** Order, yes. The hon. minister will continue.

**Hon. Mr. Taylor:** Mention was made of the child welfare legislation. It was stated that because of the intransigent stand of this government on the 5.5 per cent ceiling that the whole child welfare system was on the verge of catastrophe. I want to say that there are 50 Children's Aid Societies in this province and we have been working very closely with them in terms of budgeting, not only this past year but for many years. You can see the escalating costs of operating those societies. As a matter of fact that is precisely the reason for these estimates—or one of the reasons. That is to seek additional funding because of the need to give additional moneys to the Children's Aid Societies in our fiscal year of 1975-1976

**Mrs. Campbell:** Will they get 5.5 on top of that?

**Hon. Mr. Taylor:** They have had something probably in excess of a 20 per cent increase in the last year, if you want to look at the figures. The Metropolitan Toronto Children's Aid Society was mentioned and there seems to be some concern that the children of this province will suffer. I have made a statement that not only in this community but throughout Ontario I would ensure that, notwithstanding the constraint programmes of this government and my ministry, no one in true need would suffer. I meant that when I said it; and I still mean it.

[5:00]

Interjections.

**Hon. Mr. Taylor:** They will not suffer; and that applies to the children as well as adults.

**Mr. Makarchuk:** How come the Children's Aid Societies do not agree with you?

**Hon. Mr. Taylor:** You don't agree with me either; that doesn't make you correct. Mr. Chairman, I wish the hon. member would talk specifically instead of in general terms. The opposition critic said 50 per cent of them didn't agree with me; now he is waving his hand and saying how come they all don't, talking on behalf of all the Children's Aid Societies. And when I mentioned—

**Mr. Chairman:** Order please, this is developing into a debate. At this time the minister will continue responding to the critics and we will get on with the estimates.

**Hon. Mr. Taylor:** Mr. Chairman, when I toured this province and met with all of the Children's Aid Societies—

**Mr. Martel:** None of them were satisfied.

**Hon. Mr. Taylor:** I stated there were some areas of particular concern to me as they affected child care, in that added pressures may be put on those societies because of external factors over which they have little, if any, control. I said then, and I have repeated since, and consistently, that I would make every effort to ensure that where that situation occurred I would seek additional funding to accommodate those physical and financial pressures. And of course one of the reasons was the referral by the courts to Children's Aid Societies of children who might otherwise be referred to training schools.

**Mr. McClellan:** But there was an increase you approved last year.

**Hon. Mr. Taylor:** I sat down, Mr. Chairman, with the Children's Aid Societies. I have just finished this week, as you know, working out with the Metropolitan Toronto Children's Aid Society—

**Mr. Martel:** And you were working on last year's estimates not actual—

**Hon. Mr. Taylor:** —additional funding to ensure the whole area of child care is not disturbed in terms of financing.

**Mr. McClellan:** They had to threaten to resign before you would act.

**Mr. Chairman:** Order, please.

**Hon. Mr. Taylor:** And now that my critic brings up the question of the threat to resign; and he did that in his remarks, too. Mr. Chairman, I want you to know that type of action in my estimation is not very positive or constructive in terms of trying to solve the problems of this province and meeting the needs of the people of this province.

**Mrs. Campbell:** What else are they supposed to do?

**Hon. Mr. Taylor:** I don't think it's really a step that should be taken. Furthermore, I think that type of posturing is unwarranted and unnecessary.

Interjections.

**Mr. Chairman:** Order please.

**Hon. Mr. Taylor:** It has little influence whatsoever on my judgement in ensuring that the children are not neglected. No question about that.

**Mr. Makarchuk:** Nobody believes you.

**Hon. Mr. Taylor:** Furthermore, the Children's Aid Society of Metropolitan Toronto undertook with me that it would not get involved in a confrontation or contest with the press in terms of working out our mutual problems in assisting children.

**Mr. Martel:** Would you do the same in Sudbury?

**Hon. Mr. Taylor:** It was unfortunate that statement was made. However, there was nothing I could do, and I may say that if that type of situation ever did occur we would ensure there were contingency plans to ensure that the children of this province are well cared for.

**Mr. Martel:** You are going to do the same for every area.



**Mr. McClellan:** Bring them all to their knees and—

**Mr. Chairman:** Order, please.

**Hon. Mr. Taylor:** The increase of funding for the Children's Aid Societies was worked out to accommodate increases in costs of foster parent care, of group homes and of institutional care.

**Mr. Martel:** Why don't you base it on actual cost?

**Hon. Mr. Taylor:** There is a broad spectrum of difference in terms of the costs of all those types of care.

**Mr. Martel:** You are unreal.

**Hon. Mr. Taylor:** Mr. Chairman, I think you know and I know that what we try to do is prevent the problem in the first place, which means getting into the home, where we can, to assist the parents of children. Of course the cheapest type of care is foster care, when a child is placed outside the home. If we can accommodate children in a family setting in that way we think that's a positive step, not only economically but socially. I think that's a sensitive and correct approach to take.

Of course we are also mindful of the fact that it's necessary to provide for group homes with different degrees of supervision and different degrees of care, right up to the type of institutional care which, in some cases in Metropolitan Toronto, is reaching as high as \$80 and possibly more per child per day.

We think, in my ministry—and I'm convinced—that if we can try some way to ensure that we can develop a system to prevent, really, the very costly type of subsidy to institutional care, then we'll be making great strides. We're doing everything we can to assist them in that direction.

**Mrs. Campbell:** You are unreal.

**Hon. Mr. Taylor:** You don't believe it?

**Mr. Chairman:** Order.

**Hon. Mr. Taylor:** You believe in institutional care? We do not, in this ministry and in this government, believe in institutionalizing anyone.

**Mrs. Campbell:** You are unreal in your statement on that point.

Interjections.

**Mr. Chairman:** Will the members of the committee and the minister direct their observations to the Chair and not respond to the interjections from the hon. members?

**Hon. Mr. Taylor:** Mr. Chairman, if you would ensure the control of the members opposite and their interjections, I'd be happy to concur with your ruling.

**Mr. Deans:** The minister's being provocative; he really is. I think he thinks if he's blustery and volatile—

**Mr. Chairman:** Order, please. The hon. minister will continue.

**Hon. Mr. Taylor:** May I say, for the information of those opposite, that the increase to the Metropolitan Children's Aid Society is an effective increase of 7½ per cent over the actual moneys that were spent last year.

**Mr. Warner:** Forced into a corner.

**Hon. Mr. Taylor:** I think that meeting was very fruitful and I believe that the society is—

**Mr. Martel:** Are you going to do that for the rest of the province now?

**Hon. Mr. Taylor:** —co-operating and no doubt they will be able to—

**Mr. Cunningham:** How can you call that an increase?

**Hon. Mr. Taylor:** —work with us in solving our mutual problems.

**Mr. McClellan:** Is that your offer or the review board's offer?

**Hon. Mr. Taylor:** Certainly it's an increase. You don't understand the astronomical—

**Mr. McClellan:** We don't understand anything you say.

**Hon. Mr. Taylor:** —double digit figures that my friends opposite seem to want to push this government into in terms of escalating inflation and trying to push—

**Mr. McClellan:** We are talking about the welfare of the children of this province.

**Hon. Mr. Taylor:** —this government continually to excessive spending. That's what you're trying to do; and I can tell you—

**Mr. Cunningham:** But you're penalizing the efficient ones.

**Hon. Mr. Taylor:** —that the people of this province do not believe in trying to spend and spend and spend.

**Mr. Cunningham:** You're penalizing the efficient ones.

**Hon. Mr. Taylor:** We must exercise constraints at all levels of government.

Interjections.

**Hon. Mr. Taylor:** One day you may realize—

**Mr. Chairman:** Order, please.

**Mr. Martel:** You know something? Don Irvine used to tell us we didn't understand about housing and he's no longer there.

**Hon. Mr. Taylor:** Yes, maybe—

**Mr. Chairman:** Order, please.

**Hon. Mr. Taylor:** Maybe you'll no longer be—

**Mr. Martel:** He used to tell us that every day and he isn't in that position any more.

**Hon. Mr. Taylor:** Keep cool now.

**Mr. Chairman:** Order, please. Will the hon. minister continue and will the hon. members give him the courtesy of allowing him to conclude his remarks?

**Mr. Deans:** Quickly.

**Hon. Mr. Taylor:** I may say that it is the intention and undertaking of my ministry to work with the Metropolitan Toronto Children's Aid Society, to monitor their operation, their budget, their expenditures, in conjunction with the municipality of Metropolitan Toronto, to ensure that everything stays on course. If there is some unexpected or unforeseen problem we will be able to catch that; and of course address ourselves to it and, I'm sure, cure it.

We've heard the criticism that additional staff was taken on by the Metropolitan Toronto Children's Aid Society last fall and that now they may have a difficult time retaining the full complement of that staff. I think—and I'm just going by memory now—something in the neighbourhood of 115 to 120 new personnel were suggested in that regard. I believe about 90 were hired and I may say that it was the advice of my staff that they go easy on hiring additional personnel at that time. However, it is a matter that I am sure will be worked out.

The members opposite, Mr. Chairman, have been playing—

Interjections.

**Mr. Davison:** The whole province is a game to you.

**Mr. McClellan:** You do that; that's your game.

**Hon. Mr. Taylor:** —the Catholic Children's Aid Society against the Metropolitan Toronto Children's Aid Society.

Interjections.

**Hon. Mr. Taylor:** The Catholic Children's Aid Society, I think, are doing a tremendous job.

**Mr. McClellan:** You are the one who brought those exchanges up.

**Hon. Mr. Taylor:** I don't think they should be demeaned for what they are doing. I was advised by them that they could live within the constraint programme of 5½ per cent. There was mention made by the critic for the opposition that they had overspent their budget. I would like to point out to him that in fact they had a surplus of \$168,000 and have not overspent their budget. So maybe you can correct your research people in that regard.

**Mr. McClellan:** Can they live on 5½ per cent?

**Hon. Mr. Taylor:** There is some criticism of my suggestion that we must look more toward the expansion of foster care. I am accused, Mr. Chairman, in saying this, of being bizarre.

**Mr. McClellan:** Everything you say is bizarre.

**Hon. Mr. Taylor:** Sure, that's the type of big lie you want to perpetrate.

**Mr. McClellan:** Point of order, Mr. Chairman.

**Mr. Chairman:** Would the hon. member state his point of privilege?

**Mr. McClellan:** I demand that statement be withdrawn.

**Hon. Mr. Taylor:** You can demand all you like but what I am saying is when you say that everything that I say is bizarre, I think you are perpetrating a big lie. Because surely anyone with any common sense knows that what I am unfolding here are the facts.

Interjection.

**Mr. Deans:** On a point of order, Mr. Chairman, you cannot accuse a member of lying in the House nor can you attribute to him



that he may have lied. You cannot do this in this House. I ask you to ask the minister to withdraw that inference.

**Mr. Kennedy:** He didn't accuse him.

**Mr. Riddell:** Are you telling us something we didn't know?

**Hon. Mr. Taylor:** Mr. Chairman, with respect, I did not accuse any member of this House of lying. I would never do that. That's unparliamentary.

**Mr. Chairman:** It seems to me that the hon. minister said that he was—

**Mr. Deans:** If you say you don't accuse him, that's fine, that's all we need.

**Hon. Mr. Taylor:** I have said that. There was no suggestion of that.

Interjections.

**Mr. Chairman:** I have been listening and I am a little confused on what the minister said originally, but I think the problem has been resolved.

**Hon. Mr. Taylor:** I am not surprised that the members opposite are confused, Mr. Chairman.

**Mr. Kennedy:** They are always confused with what they say over there.

**Mrs. Campbell:** I distinctly heard him say—

**Hon. Mr. Taylor:** There was no suggestion on my part, Mr. Chairman, that foster care was an alternative to institutional or active treatment. There may be some confusion in the minds of the members opposite, but I think—

**Mr. McClellan:** I read that from your own press release.

**Hon. Mr. Taylor:** —that the whole area of foster care is one area that should be developed. It is being developed by some Children's Aid Societies more than others. I think it is a programme we could keep up. I think it is something we could stimulate and support. I think any thinking person would agree that this is an area that would be of great assistance in helping the young persons of this province who are not with their families.

**Mr. McClellan:** It is not an alternative.

**Hon. Mr. Taylor:** There was no suggestion, Mr. Chairman, that there would not be a need for group homes or for institutional

care and treatment. There was never any mention of that.

**Mr. McClellan:** Do you want me to read your own words back to you again?

**Hon. Mr. Taylor:** But there is a need in this province for foster care and I think that type of care is a much more economic type of care than other accommodation.

**Mr. McClellan:** But it is not an alternative and you said it was.

**Hon. Mr. Taylor:** Children who might be as well off in foster care may be utilizing other facilities which—

**Mr. Martel:** You are sounding more like John Smith every minute.

**Mr. Davison:** Does he write your speeches? Who writes your speeches?

**Mr. Chairman:** Order, please. The hon. minister will continue and ignore interjections.

[5:15]

**Hon. Mr. Taylor:** I am just responding, Mr. Chairman, to the comments made by the members opposite. I'm not making a speech; I'm merely responding to their remarks.

**Mr. Martel:** We are reading your speeches back to you.

**Hon. Mr. Taylor:** It's just a matter of setting the record straight. When I do that for some reason it seems to upset severely the members opposite.

**Mr. Martel:** We are just reading your speeches back to you. You had better find out what your speeches are about.

**Mr. Chairman:** Order, please.

**Hon. Mr. Taylor:** May I address my remarks now to some of the comments made by the critic for the Liberal Party, the member for St. George.

**Mr. Davison:** Too hot over here?

**Hon. Mr. Taylor:** I think I've pointed out at least some of the contradictions, inaccuracies, misconceptions and misinterpretations of the members of the opposition. I wish, if I may, now address myself to the member for St. George, through you, Mr. Chairman.

Reference was made to cutbacks which would force the municipality of Metropolitan Toronto to discontinue dental programmes and other programmes. May I clarify again that the Province of Ontario will not be cut-

ting back in terms of the total amount of funding to the municipality of Metropolitan Toronto or any other municipality. In fact, they will be getting more funding.

As to priorities, those will be determined by the municipalities concerned. I expect the people at the local level will have the best idea, the best concept, of where to spend their money. Of course, we are supportive of that and, again, will be helping them in that regard.

As to the decoy of service to people as opposed to service of plants—I suppose the member for St. George was referring to horticulture rather than to some other type of physical or commercial plant—when you try to mix up the ministries I think that's outside the ambit of these estimates. I cannot order the priorities of the spending of the Ministry of Government Services, I don't profess to do so. I will not attempt to do that.

What we are doing, what I am doing within this ministry, is to ensure that the programmes we have, which are so excellent, are carried on and that they are the most effective and efficient programmes which can be devised. Insofar as it concerns the amount of money that Metropolitan Toronto or any other municipality may spend, of course that's an elective thing if it wishes to engage in other programmes. Some items are not all cost-shared on an 80-20 basis.

**Mr. McClellan:** Yes, sometimes you—

**Hon. Mr. Taylor:** There are distortions in there, of course, which establish the fact that the division between the municipality and other levels of government, or this province, doesn't always work out to an equal 80-20 basis. Surely the member for St. George knows that. If the municipality of Metropolitan Toronto wishes to enrich any programme it has or expand it with its own funds, of course it's entitled to do that. We feel that it can operate within the parameters of spending which we have indicated.

There are some programmes, I might say, such as summer camps, eyeglasses, which are being supported by other interest groups in the community. Everything doesn't have to be supported by government. I've gone around this province and I've made mention of the fact that we should have more volunteers. I've pointed out what happens—when government moves in charity moves out. We can document that.

**Mr. McClellan:** Why don't you open a soup kitchen?

**Hon. Mr. Taylor:** We can see what the evolution has been in terms of government involvement—the more government gets involved, the more the private sector comes out. I have said and I repeat that we're making charity a Crown corporation or making the good Samaritan a public employee. That may be the objective and goal of the New Democratic Party but it's certainly not the objective and goal of this government.

**Mr. Davison:** You are not as Christian as the hon. member for Hamilton Mountain (Mr. J. R. Smith).

**Hon. Mr. Taylor:** I'm convinced that we should involve the people of the community more and more. At one time, if you look at some of the social service agencies and how they were funded and what the community involvement was, not only in terms of dollars but in work—

**Mrs. Campbell:** You are fudging and you know you are. That's not answering my question.

**Mr. McClellan:** People can't eat hot air.

**Hon. Mr. Taylor:** —in meaningful contribution, you'll see what happened and you'll see the need for volunteer help and how they can help in more ways than fund raising.

**Mrs. Campbell:** What do they do to help the person?

**Hon. Mr. Taylor:** But you don't believe that. The members opposite do not believe that. They think that everything should be run by government and every person put on the payroll and, if possible, become a civil servant.

**Mrs. Campbell:** You know that isn't true.

**Hon. Mr. Taylor:** We don't believe that, Mr. Chairman.

**Mrs. Campbell:** Stop fudging. What has a volunteer to do with eyeglasses?

**Hon. Mr. Taylor:** I think it's sheer nonsense, bad management and bad judgement to expect government to run every social service agency and fund every social service agency. I think we should involve, as much as possible, the private sector and the volunteer worker.

**Mr. Cunningham:** You are an expert at that.



**Hon. Mr. Taylor:** We have service clubs that are buying eyeglasses. We have service clubs that are sponsoring summer camps for children. You may deny that. You may not think that's a good idea; a good project. We believe it is. We think it's something meaningful that the community is doing. It's something we've sponsored in the community. They're doing that and you know they're doing it and you know that it's a good thing. You cannot dismiss and ignore the community involvement.

Interjections.

**Hon. Mr. Taylor:** Mr. Chairman, I wish that the members opposite would address their remarks to the Chair as I'm trying to do.

**Mrs. Campbell:** On a point of order, Mr. Chairman.

**Mr. Chairman:** The hon. member for St. George on a point of order.

**Mrs. Campbell:** Mr. Chairman, this minister has been discussing the percentages of municipal-provincial cost-sharing, and he has been trying to drag in those services which are not mandatory and fudge the issue.

May I point out again to him, on a point of order, that the question I want answered is the question put by Paul Godfrey? It related only to mandatory services and it indicated, as I read before, that Metro will now presumably have to go to the support of 29 per cent of those services forced upon them by the government of the Province of Ontario. Will he answer that and stop walking around the bush?

**Hon. Mr. Taylor:** I'm not walking around the bush. That's the member opposite's perception of what the metropolitan municipality may have to do. That's only their perception and no one is forcing that upon the municipality of Metropolitan Toronto.

**Mr. Riddell:** No, you are running—

**Hon. Mr. Taylor:** You can look at your case loads and everything else and you'll see what the trends are. It's all right to make such dramatic gestures and cry wolf. All they are doing, Mr. Chairman, is a disservice to the people of this province. They're trying to excite and to use scare tactics to—

**Mrs. Campbell:** It is your pal Godfrey who made the statement.

**Hon. Mr. Taylor:** —frighten people who may be in need of these services and the tax-

payers as well. I think that's shameful and mean.

I may reiterate, Mr. Chairman, that capital money will be spent in the next fiscal year. I know we're not dealing with the estimates for 1976-1977, but nevertheless, capital money will be spent. Sure, there are capital funds that will be spent servicing projects that are under way now, but in addition there will be new capital for developmental resources. The accusation that there will not be those funds is entirely erroneous.

We talk about daycare centres. The reason I'm coming to the House in regard to these supplementary estimates is for additional funding to operate daycare centres. The costs are escalating. They've been escalating dramatically and it's for that reason that additional funding is necessary. I think the municipalities are mindful of that problem and what is happening in the whole terms of day care.

I would make mention of the reference by the member for St. George in regard to—I have the figure of 6,682 places in the Metropolitan Toronto area for day care. I think that should not be confused with the number of places there are in the Metropolitan Toronto area, which is about 16,000.

**Mr. McClellan:** She meant subsidized places.

**Hon. Mr. Taylor:** And those are the number of licensed places that we have.

**Mr. McClellan:** Subsidized.

**Mr. Chairman:** Order please. We have some young visitors in the east gallery and I think we could show a little example by acting in a civil way while we're discussing these estimates. Will the hon. minister please continue?

**Mr. Good:** Don't distort the facts.

**Hon. Mr. Taylor:** Thank you, Mr. Chairman. Those are the facts. There are about 16,000 places which are licensed in Metropolitan Toronto for day care, as opposed to 6,682.

**Mr. Good:** Ten thousand of which you you have nothing to do with.

**Hon. Mr. Taylor:** We have something approaching 50,000 places in Ontario for the information of the members.

**Mr. Davison:** That's 10 per cent of what we need.

**Hon. Mr. Taylor:** We will be creating roughly 2,250 new places by the time we spend the additional \$6 million in capital

funds. We have proceeded very swiftly with day care in this province, creating many day-care places.

As you know, Mr. Chairman, much of the day care is private day care. I'm sure you know that there are many parents in Ontario who look after their own children, who arrange for their own day care and who pay fully for their own day care so it's very difficult indeed to estimate the total number of daycare places in Ontario. We probably know of only about 20 per cent of those that really exist. It's very difficult to criticize what we are doing really in the whole field of day care.

**Mrs. Campbell:** You don't know what you are doing.

**Hon. Mr. Taylor:** I would like very much to clarify something that was said in regard to single parents. The member for St. George made some reference to me referring them to Teperman's. I'm not quite sure what she means by that, unless it's one of the wrecking firms of this province?

**Mrs. Campbell:** That's right.

**Hon. Mr. Taylor:** If it is then I'm sure she is more expert in the wrecking business than I. I really do not see what reference that might have to single-parent mothers.

**Mr. Riddell:** Not by a long shot.

**Hon. Mr. Taylor:** Maybe she could enlarge upon her statement later because I'm sure that in matching people with jobs it certainly was not the intention of my ministry or me—

**Mr. Swart:** You can do better in your own confused way.

**Hon. Mr. Taylor:** —to suggest that single-parent mothers should all line up at Teperman's. It's one of the ludicrous innuendoes I've heard from the members opposite and I don't think it's fair, again, to the people of the province or to my ministry to make such inferences.

Again, I don't propose to answer my friend in terms of the safety boots programme which she might have been involved in during her service in Metro. I don't think that's relevant, again, to the supplementary estimates.

Insofar as mothers with children are concerned, a reference was made or she alluded to a suggestion that a mother of five children might be earning \$80 a week and that's uneconomic. There's been never any

suggestion on my part or on the part of this government that women with child-rearing responsibilities should be taken away from that setting and introduced into the work force. There was never that inference and I'm frankly quite shocked.

I agree that in terms of economics it doesn't make sense to put five children in day care and expect an economic operation. I suppose if a woman is in the labour market—and I'm not suggesting that anyone on the welfare programme or family benefits or GWA would be doing that; it has never been my suggestion. But if there are mothers with large families who are working, I am sure that it's a determination that they make in the light of their own particular home responsibilities and in the light of their own economic picture; and in the light, presumably, of their own health and their own interests.

[5:30]

May I reinforce the views that I have expressed only so often, that I believe strongly that wherever possible we should try and keep a family together, and not to tear it apart. I don't think government should be instrumental in terms of tugging at families. It should ensure that family responsibilities, as much as possible, be discharged by families. I can only say that I believe the basis of any society is the strong institution of family. I subscribe to that, but unfortunately it may not be subscribed to by people of other political and philosophic persuasion.

The suggestion that young people be taken out of school, as made by the member for St. George, I think is absolutely shocking. Taking young people out of schools presumably to put them to work has never been a suggestion on the part of any member of my staff, my ministry, by me, by this government. It has never been suggested that children going to school should be dislocated and introduced into the work force. I think that's a horrendous proposition and frankly should—

**Mr. Riddell:** You're as changeable as the wind.

**Hon. Mr. Taylor:** —certainly be corrected; because it never was said.

**Mr. Good:** Quoted in the press.

**Hon. Mr. Taylor:** It was never said. I think, again, it is a disservice to the people of this province to suggest that type of proposition and to imply by innuendo or



otherwise that a responsible minister of the Crown or a responsible citizen, for that matter, would make such a statement.

**Mr. Riddell:** You remember that.

**Hon. Mr. Taylor:** And I hope, Mr. Chairman, that the members opposite will remember that. As the regulations are posted and reviewed, I think that you will see that what I have consistently been saying is reasonable and fair. It does not involve those types of weird and preposterous proposals that have been advocated or suggested by the opposition members, or sometimes inferred by them as remarks that I might have made.

**Mrs. Campbell:** Then you have been misquoted considerably.

**Mr. Davison:** See the Globe and Mail.

**Hon. Mr. Taylor:** Some people, Mr. Chairman, may dedicate themselves to misquoting me. I don't suggest that that is the full-time occupation of the members opposite. I hope that they will be fair in interpreting what I say. If they're not sure, if there is any ambiguity, then I'm always available, Mr. Chairman, to answer their queries—

**Mr. Swart:** You don't have to be interpreted.

**Mr. McClellan:** That's a full-time job.

**Hon. Mr. Taylor:** —to explain what I have said, to explain what the intentions of my ministry are in the service of the people of this province.

**Mr. Davison:** The word is disservice.

**Mr. Chairman:** Could the Chair prevail upon the minister to shorten his answer somewhat, because he has been on his feet now for over an hour? We've got a great deal of work to cover yet, and a very limited time in which to do it in.

**Hon. Mr. Taylor:** I will try to expedite my reply, Mr. Chairman. I did not dictate the parameters of the remarks of the members opposite. As you will recall, when we started these estimates I suggested that the remarks should be confined to the estimates before us. It was determined by the Chair that a far-reaching overview might be made by the opposition critics. I conceded reluctantly to that, and I feel that I should have the opportunity to respond to the remarks that were made.

**Mr. Riddell:** Have you nothing more to do?

**Mr. Davison:** Would you like one of us to read it for you?

**Hon. Mr. Taylor:** I'm looking at my notes, Mr. Chairman, to ensure that those very profound statements or observations made by the members opposite are not ignored. Sometimes, I look at them as obtuse, but in all seriousness I want to ensure that I'm not interpreted as skimming over their comments.

The member for St. George made mention of neglecting such people as a 105-year-old lady. Again, I can only say that that is a nonsensical proposition and I cannot see that such posturing is really contributing to our programmes in Ontario or to her role as the critic of the Liberal Party.

The reference was made again, in terms of day care, to a blind lady with no place to send her two-year-old daughter while she works, and that is all because of the Ontario cutbacks.

**Mr. Davison:** Well, shame on you.

**Hon. Mr. Taylor:** I saw this article, as the member for St. George stated, in the Globe and Mail on Jan. 30.

May I say, and just for the clarification of the members, Mr. Chairman, that the fiscal year of this province is April 1 to March 31. The fiscal year of the municipalities—not most, but all of the municipalities—and I would suggest the social service agencies, is a calendar year, from Jan. 1 to Dec. 31. Therefore, the restraint programme that we are talking about in most cases, including the homes for the aged in the municipalities and so on, commences really from April 1 of this year. Therefore, the spending that is incurred by those agencies, by the municipalities, by the homes for the aged, in the first three months of 1976 is spending that's built into the base upon which the 5.5 per cent is calculated.

So, you can see, it is somewhat ludicrous to suggest that in January a person in this province is deprived of a daycare place because of government constraints that will have no effect on the municipality until certainly April 1 of this year, at which time the Province of Ontario will give them the same funding as last year, plus in most cases another 5.5 per cent.

**Mrs. Campbell:** Unlike the province, municipalities plan ahead.

**Hon. Mr. Taylor:** I would like the critic for the Liberal Party to think upon that one for a while.

**Mrs. Campbell:** They plan ahead.

**Hon. Mr. Taylor:** Surely there is no suggestion that a responsible municipality or a county or any other agency in this province would threaten to close a home for the aged when we know that these places are so much in need.

Sure we are trying to keep people in their homes. We think it is necessary to keep people in their homes.

**Mr. Davison:** You are forcing them to.

**Hon. Mr. Taylor:** Again, in terms of the programmes for delivery of services to people, whether it is visiting homemaker or nursing services, meals on wheels or whatever it is, we are providing for the funding for that type of service to ensure that it is carried on.

Homemakers' salaries; again, we are not freezing homemakers' salaries. As a matter of fact, I understand that homemakers' salaries in this area have been approved for an increase of about 10 per cent across the board.

What we are saying in terms of a municipality is that we have to live within the overall global budget that we approve and finance. We are talking an additional 5.5 per cent.

There has never been any suggestion by my ministry or this government or by me that the homemaker services salaries be frozen.

I won't take time to go over some of the smaller matters; again, the Liberal critic mentioned the increases to the Children's Aid Societies and Catholic Children's Aid Societies. Again, I think Children's Aid Societies are responsible bodies. They are trying to do the best that they can in partnership with the province. As you know, they are really 100 per cent funded by government in most cases; 80 per cent through the province and 20 per cent at the local level.

Of course, that has happened in a very few years. As you know, at one time it was only 40 per cent provincial funding and 60 per cent at the local level, and then it became 60 per cent at the provincial and 40 per cent at the local level, and then more recently 80 per cent at the provincial level and 20 per cent at the local level. These are government-funded organizations and we feel that we are in partnership with them. We have to work with them, we have been working with them, and we will continue to work with them to fulfil the needs of the children of this province.

**Mr. Davison:** If you don't destroy them first.

**Hon. Mr. Taylor:** It is that kind of irresponsible talk that engenders bad will, misconception and misunderstanding throughout

this province and does a disservice to the people of the province.

Interjections.

**Hon. Mr. Taylor:** Again there was some repetition on the part of the member for St. George in regard to the mental retardation facilities. I won't repeat what I have said or enlarge on what I said in reply. Our philosophy has not changed and the progress that we are making has not changed in any way. I concur that the Province of Ontario has great faith in the municipalities, as the member for St. George has said. We feel that they are responsible institutions. They are local governments elected by the people, close to the people whom they represent. I am sure they are sensitive to the needs and can determine best their priorities. Therefore, I subscribe to local involvement in terms of financial participation as well as effort and administration.

**Ms. Sandeman:** I have a question, Mr. Chairman. There are many members who would wish to speak on the votes under these estimates. Could we ask that the minister reply to all of us when we finish so that some other members of both opposition parties may have a chance to speak?

**Mr. Chairman:** Unfortunately, that wasn't what was decided upon. It was decided that the remarks of the two critics for the parties would give far-ranging dissertations on the estimates and, after the minister completed his response, we would deal specifically with the items in votes 2602 and 2603. Unless I get some other direction from the committee, that's the way we will have to proceed.

**Hon. Mr. Taylor:** Mr. Chairman, thank you for that ruling. I would very much like to listen to as many members of the Legislature who wish to speak on these estimates. I feel that I will conclude my remarks now to give them that opportunity and I would be happy to respond to any of the questions that they may wish to put to me.

**Mr. Riddell:** Best news we have heard all day.

**Mr. Burr:** On a point of order, from now on at the end of each item can we have the minister reply in total rather than individually, because the minister is so fluent and articulate that he speaks at great length?

**Mr. Hodgson:** You cannot take it.

**Mr. Chairman:** It has been the practice in committee of supply that when an individual member raises a particular item he can elicit a response from the minister. That seems the



best way to do it, because there is no way that a lot of the questions will get answered when we reach the time for adjournment.

We are dealing specifically now with vote 2602, item 1, income maintenance. It tells you on the right hand side, on page 15, what it refers to in particular. That's the way we will proceed unless the Chair is directed otherwise.

The hon. member for Peterborough, item 1.

**Ms. Sandeman:** Although I feel provoked into answering some of the points raised by the minister, I will make a very strong effort to restrain my remarks to item 1 on the list. In this party we do not believe, as the minister implies, that everything should be run by the government but our business here is to discuss those items which are the responsibility of the government. The item under discussion at the moment is the income maintenance programmes of the Ministry of Community and Social Services.

I would first like to complete, if I may, a little unfinished business which I raised during the discussion of the Community and Social Services estimates last fall.

[5:45]

Very briefly, I referred then to the case of a gentleman who was totally disabled but not receiving any support from the government, and who in error was sent a disability cheque for September. He went to an appeal; the appeal was turned down; he is still totally disabled, still has no income of his own, and now he is receiving letters from the ministry asking him to return the cheque which was sent to him in error. He naturally wrote to the minister and explained as he had no income, and as he had spent in good faith the money that was sent to him, he was unable to return it.

He offered to sell his only liquid asset which is his wheelchair, and the latest response from the ministry is a final notice demanding that he repay that money as soon as possible.

I would like to bring to the minister's attention some examples of anomalies in the income maintenance programme. The minister believes we on this side of the House are dedicated to excessive spending by government. On the contrary, my aim at the moment is to point out to the minister that there are many, many instances in the income maintenance programme when not only do we not have excessive spending, we have spending at such a low and insulting level that it is ludicrous in the extreme.

I would like the minister to consider, for instance, what happens to families, mother-led families, where a mother is receiving mother's allowance or a GAINS payment on her own behalf, and has a child at a school for the deaf. Such women do not, if they are on mother's allowance, receive the regular allowance for the child. They receive \$15 per month for that child, and out of that \$15 they are expected to support the child, who is required by the school to return home every weekend and at school holidays.

They are required to supply an extensive list of clothes provided for them by the school. They are expected at all times to maintain a level of \$20 in the child's spending account at the school. They are expected to pay for the meals, the general housekeeping expenses of the child, from Friday afternoon to Sunday afternoon. They are expected to launder and mend the child's clothes; a normal duty for a mother, but some expenses are involved. They must, out of that \$15, supply Kleenex, and toothpaste, and shampoo, and toys, and towels, and face-cloths, and all the other small things that a child might need.

Naturally enough, a child at a school for the deaf will be wearing a hearing aid; an expensive hearing aid. There is no allowance for repairs or batteries for that hearing aid. All of these things—clothes, maintenance—must come out of the \$15.

We have recently discovered that such children are not covered on their parents' OHIP payment. The school for the deaf believed that the children were covered under their parents' OHIP payment, but because a mother receiving family benefits and getting the \$15 for the child is not in a sense receiving a regular mother's allowance for that child, she does not get the child covered under her own OHIP payment. I would ask the minister to consider plugging that very considerable loophole in the protection of the health of these children.

In connection with that, Mr. Chairman, I would like to point out a further anomaly that came to my attention around mother-led families with children at the school for the deaf. Not only are they required to support their children for a good percentage of the month, plus all their other expenses, on \$15. If I may just for a moment take two families with children at the school for the deaf and compare what they are given by this province under our income maintenance scheme, some very extraordinary anomalies show up.



I would ask you to consider the case of two mother-led families. In one of these families there is only one child and the child is severely deaf. The mother too is severely deaf, and because she is, and she is a single parent, divorced, she is receiving the GAINS payment from this province, which I believe is now around \$260 per month, to support herself because she is totally disabled and her child is at the school for the deaf and for her, she gets, if the ministry has caught up on itself, because for a while she wasn't getting it, but for the child she should be getting \$15 supplement.

Just a few blocks away from that woman lives another mother who, again, is divorced, bringing up the children on her own. But she has two children, one deaf child and one child with hearing. Because she chooses to support her child at home on the mother's allowance, she doesn't feel that she should be in the work force at this time. She is in receipt of mother's allowance for herself and the one child who is living at home. She receives less per month for herself and one child than her friend does who is only required to support herself on the GAINS payment. For her deaf child at the school for the deaf she gets the \$15 supplement.

I would like the minister to tell us just what sense it makes to expect a mother and child in this province at this time to live on less than one woman on her own is expected to live on. I'm not sure that there is any very credible answer for that and I think that the minister must review seriously the levels of income maintenance payments, the anomalies in the whole system, and the fact that indeed, as I said before, there is not excessive spending, but in some cases an incredibly low level of spending.

One could go on to itemize case after case where this kind of ridiculously inadequate level of income maintenance is supplied, but I see that we are approaching the hour for adjournment and I feel that I have to return to some of the comments the minister made earlier, while we're talking about income maintenance programmes for women, particularly for mother-led families. I know as well as the minister knows there are many women heading mother-led families who are prepared to go back to work, who feel that their children are established in school and who would be glad of the stimulation, the extra money and the interest supplied by a decent job.

I would ask the minister to meet with me next time I have a delegation of women on

mother's allowance coming to my office and asking me: "Where can we get jobs, and is the Ministry of Community and Social Services going to help us to get back into the work force?" always coming back to the point that if there were jobs they would take them. I hope the minister understands that what is holding these women back from the work force is not some dedication to lying around the house all day in their bathrobes but a total inability to find work.

The minister also made reference to the ease with which qualified professional women can find work. He stated as examples, I believe, nursing and teaching. Again I would ask the minister to visit with me the nurses in my riding who graduated from community colleges. The member for St. George has some unemployed nurses too, I believe. We have women across the province who are experienced nurses, have been at home perhaps for a while, supporting families or bringing up children, and are ready and need to return to the work force. But there are no nursing jobs.

We have young women who graduated from community colleges last summer who have not yet been able to find nursing jobs. We have young women who are about to graduate this summer and I suspect there will be no jobs for them. Of course, we have the women who are qualified nurses being thrown out of work by a restraint programme in another ministry. But I would urge the minister, if he is so keen, as indeed he should be, that qualified women who are receiving support payments should get back to those nursing and teaching jobs, to point out to us where those jobs are.

**Mrs. Campbell:** Precisely. In Nova Scotia.

**Ms. Sandeman:** I would like him, if he could, to supply me with a list, detailed or general. It would be extremely helpful to me.

**Mr. Burr:** In Detroit, if you can get a visa.

**Ms. Sandeman:** Yes.

**Mrs. Campbell:** They are coming up from Nova Scotia to find nurses here right now.

**Ms. Sandeman:** The problem, of course, that many women have—and the member for St. George is making allusion to this—is that while there may be jobs available in another part of the country, women traditionally are not mobile. If they are being supported on an income maintenance programme it is no good, firstly, saying to them, "Get up off your backside and go to work" if there is no job



in their area; secondly, if the only job is available in another province they cannot possibly afford to move there. They will continue to have to be supported by government programmes until those jobs are available here.

Perhaps I could ask the minister to reply to my question in the few moments he has left unless we've decided to postpone answers until the evening?

**Mr. Chairman:** No, if you've completed your remarks, the minister will reply. The hon. minister.

**Hon. Mr. Taylor:** Mr. Chairman, there were some examples given, of course, of special cases. It's very difficult to speak in a general way in regard to the items or allowances made for those individual cases. I can only guess.

I can suggest to the member for Peterborough that, for example, there may be a difference between one family and the other in terms of the one with the child who is deaf receiving GAINS. The two payments are different. When you get into the GAINS programme, of course, the flat rate is based on the disability. When you get into the family benefits payment, your need is tested and they have a base set on the family unit.

There may be some rationalization necessary there. I'm just saying that the way the system is set up it may result in that anomaly. I would have to take the two cases to explain specifically, in those circumstances, what the payments would be.

For example, the \$15 differential, as I understand it, for the child in the school for the deaf has been revised now. I think that for a child in the school for the deaf who

would be living away from home, it is half the payment the child would be receiving if he were actually home. I believe that's the way it is now handled. Again, I would only say that we'd have to take the two situations and go over them point by point to determine exactly what the payments might be.

**Mr. Chairman:** The hon. member for Peterborough indicates she has a point of order.

**Ms. Sandeman:** Yes, a point of order or a question for the minister on a point of order. The last information I have from your ministry is that the support for a child at the school for the deaf—I quote from a letter I received from the ministry. "At the present time, the support a mother receives is \$15 a month for a deaf child's maintenance."

**Mr. Chairman:** That's not a point of order.

**Ms. Sandeman:** The question is, could he tell me when the change came into effect? This letter's dated February.

**Mr. Good:** It's a point of interest.

**Mr. Chairman:** It's not a point of order. The hon. minister may continue.

**Mr. McClellan:** Why don't you respond to the question?

**Ms. Sandeman:** When did the change come into effect?

**Hon. Mr. Taylor:** As I say, it's my understanding that was changed to one-half. I can get the precise date if you wish, possibly over the dinner hour.

The House recessed at 6 p.m.

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